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UNIVERSITATEA
BABEŞ-BOLYAI

Babeş-Bolyai University

Faculty of Political, Administrative and Communication Sciences
Communication, Public Relations and Advertising Department

Conference Proceedings

'Communicating European Union: Euroskepticism, Minorities
and the Rule of Law', 13-14 December 2018, Cluj-Napoca

Communicating European Union

Editors

Mihnea S. STOICA

Andreea VOINA

Ioan HOSU



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Suzanne VERHOOG is a PhD-candidate and lecturer affiliated to the VU University of Amsterdam, Department of Social Sciences. Her PhD study focuses on land grabbing in the post-socialist era and their socio-environmental impact, with a specific focus on Romania. More specifically, she investigates the role and interconnectivity of established old nomenklatura elites and newly emerging local and national elites in land practices in post-communist Eastern Europe, conceptualized as ‘intermediary elite broker’. She hereby unites qualitative data analysis with a Social Network Analysis (SNA) in order to reveal how intermediary elite brokers in LSLA practices in Eastern-European countries emerge and operate in their underlying networks and what their impact is on society and climate.

Octavia Raluca ZGLOBIU teaches ESP within the Foreign Specialised Languages Department, Faculty of Letters, Babeş-Bolyai University. Her domains of research are Cognitive Linguistics, Pragmatics, Semantics and ESP. In 2015 she published a book entitled “Strategies of Communication: Control and Manipulation in Political Discourse” (Presa Universitară Clujeană). The main themes tackled in her research focus on discourse analysis, critical discourse analysis and the analysis of the linguistic constructions of different

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About the Editors

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Introductory Remarks

In an attempt to understand the multi-faceted growing challenges that the European project is facing, scholars have advanced several explanations over the years, amongst which the most prominent have been the historical ones, the institutional ones, of course political and even psychological ones. However, the rise of populism and of a strong anti-European discourse, doubled by the success of the Brexit referendum in June 2016 and the growing number of anti-EU Members of the European Parliament have prompted the need to give increasing attention to explanations arising from the communication perspective. But even as the number of studies in this field is now growing, there seems to be an underrepresentation of scholarly voices from Eastern Europe or that relate European integration to the perspective of Eastern Europe.

The current volume seeks to bring a modest contribution to the field of European political communication by gathering works of scholars from various countries around Europe, such as Romania, The Netherlands, Poland, and Finland. The book is by no means an inventory of various national perceptions, but rather it resembles a puzzle of perspectives, or building blocks on issues that relate to political communication, to attitudes and perceptions on European integration.

Communicating European Union makes a great debut with a policy section; the first research piece is signed by Suzanne VERHOOG and Mihnea S. STOICA and tackles “land grabbing” in Romania and its relation to the Euroskeptic populist rhetoric, emerged in spite of the consistently high levels of trust of Romanian citizens in the European Union. Anca

SINEA adds on the policy-based materials, with a research material on the discourse surrounding the energy sector in Romania. Sinea maps the ways in which Romania promotes its energy profile, through its communication strategies within the region. Simina RADA, Pavel LAZĂR, and Lorena MĂRTINUȚ complete the policy approaches by tackling the rule of law in Romania, presenting challenges individuals face in the field of taxation, as a consequence of EU Member States disregarding certain aspects of this constitutional principle.

The book then presents a series of studies on artificial intelligence, Internet regulations, and discourse. Gaetano LA RUSSA and Markku TUKIAINEN's contribution discusses how artificial intelligence can both help and hinder media literacy, by providing an overview on the generic internet user's perception of absolute and relative truth. Technological advances are also tackled by Michael STURDZA, whose research presents a rule-based automated system that identifies the type of framing in political discourse. Following a semantic analysis of the given text, the system facilitates determining how political statements are framed, what sentiments the actor has about the issue, and might help the researcher discover new implicit information. PETRES Botond Zoltán, SZŐCS Isabella, and MAKKAI Júlia Anna shed light on GDPR and website compliance to this European regulation of user data, by analyzing criteria used by websites of commercial airlines in order to collect and manage data from their online customers.

Flaviu Călin RUS brings the reader onto the political setting, presenting the Romanian political arena during a pivotal year for the country, marking its centennial anniversary. Susana DRAGOMIR brings the European perspective into the political discussion, tackling its communication deficit in the post-truth era. The researcher cleverly presents the danger posed by disinformation in the context of European elections. Raluca ZGLOBIU completes the discourse surrounding

the European Union with a Romanian media perspective, aiming to identify the existence of an EU narrative created through newspapers. Furthermore, Michał RAUSZER tackles new populism and maps cultural resistance artefacts in Poland. Last but not least, Emanuel BODEA and Teofil LATA analyze the public discourse of Romanian politicians featured in the media, aiming to investigate the rhetoric of major national-level political actors surrounding Romania taking up the Presidency of the EU Council

Communicating European Union represents a first step in creating a network of initiatives on emerging issues. The ideas brought forward by the authors of this book will hopefully be useful for the academic debate, but can also represent sources of ideas for politicians or policy-makers, media communicators or citizens interested in how the European Union works and how it can develop.

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Our gratitude goes to the Faculty of Political, Administrative, and Communication Sciences of the Babeş-Bolyai University, and especially to the Department of Communication, Public Relations and Advertising and its Doctoral School for having supported the publishing of this volume. For the cover design, our appreciation goes to our colleague and friend, Dorin Spoaller.

The Editors
Cluj-Napoca, 2019

'Land Grabbing' in Romania and Interlinkages with the Euroskeptical Populist Narrative

Suzanne VERHOOG

Mihnea S. STOICA

Abstract. The upward land grabbing trend in Eastern Europe has remained understudied, as well as its strong interlinkages with political narratives – more specifically with the ones proposed by Euroskepticism and populism. The current paper looks at how land grabbing has emerged as a topic that fits the Euroskeptical populist discourse in Romania, despite the high levels of trust in the European Union that has characterized the country ever since its EU accession in 2007. European integration was perceived by small landowners as an opportunity to prosper, but vulnerabilities such as obsolete agricultural technologies and lack of know-how in applying for European funding have hampered their plans. Our paper suggests that the populist discourse that emerged in Romania used such popular dissatisfaction to undermine the benefits of European integration and the main “threat” that this discourse pointed at was the “foreigner” – framed as an individual or company that used their financial power to buy large portions of land in Romania in the detriment of the country’s citizens; research reveals that oligarchs and national (state) elites are as deeply involved in the land grabbing discourse in Romania as foreigners. We finally argue that the concept of authoritarian populism can theoretically help to rethink and reframe the post-communist land grabbing discourse towards more inclusive emancipatory politics with a specific focus on the needs of rural communities.

Keywords: land grabbing, populism, Euroskepticism, Romania, agriculture reform.

Introduction. Populism in Eastern Europe

The drastic ideological transformations that marked most Eastern European political systems after the fall of communism have set a favorable context for the emergence of populism, with cultural divisions most often taking precedence over economic cleavages. Given its prominent profile as a research topic, many scholars have come to question the ideological profile of populism, with some arguing that the concept is nothing more than a communication strategy aimed at winning the trust of voters in the absence of a solid ideological background. Populism therefore appears as an overarching concept with malleable borders, a characteristic that constitutes the main source of confusion surrounding its conceptual stretching. Amongst other authors, Paris Aslanidis (2015) dismantled the theory that considers populism to be an ideology and suggested that it should rather be conceptualized as a discourse. Other authors considered populism to be a style that attracts voters precisely because it does not have to bare a complex ideological weight (Taggart, 1996). Jagers and Walgrave (2003) also considered populism to be a mere strategy, one that aims to gather votes exclusively by appealing to the emotional dimension of the electorate. However, those who considered it to be an ideology argued that populism is not only a reaction against the establishment, but more importantly an appeal to a supreme authority: the People (Canovan, 1999). Koen Vossen (2011) believed that whether populism should be seen as a strategy or as an ideology is basically a question about the motivations of the producer of the discourse.

Equally important for understanding the rise of populism is today's media-centered politics, which feeds on sensationalism and which very much appreciates a politician who can break the routine and who can adopt a rhetoric as far as possible from the mainstream lingo. Populist leaders are therefore experts in bringing forth precisely what the media wants, on the basis of a well-articulated system of supply and demand,

with the media having been accused of complicity (Mazzoleni, 2008).

Personal charisma is considered to be one of the main ingredients in building the success of the populist appeal (Barr, 2009), with leader worshiping being a very common practice amongst followers of populist parties. The personalization of politics emerged as a result of a weakened attachment between citizens and political parties – which were considered to have become less representative for their electorate, and was reinforced by mass media in its competition for an ever-growing audience. Therefore, today we experience a stronger focus on politicians, instead of debates over institutions. Even more so, the criteria for political compatibility between voters and politicians have changed, as features concerning non-political personality traits are now at the heart of leadership evaluation, with electoral campaigns choosing to focus on candidates and less so on issues. Sometimes, political systems themselves favor the attention on politicians, such being the case of the presidential systems of the United States of America and of France (Kriesi, 2012). However, the situation is not new. For decades now, scholars have warned about the serious structural and ideological transformations that political systems have started undergoing. Daniel Bell (1988) wrote about the end of ideology and Otto Kirchheimer predicted that, faced with the decline of electoral loyalty, parties will be forced to rethink their communication strategies so as to diversify their reach and therefore embrace *catch-all-ism* (Krouwel, 2003). The crumbling relationship between citizens and political parties means that the latter can no longer rely on the stable support provided by clearly defined population segments, as political choice is no longer only a mechanical translation of the socio-economic characteristics of the voter. There has been a fundamental change regarding the determinants of party choice, which in turn has prompted an increase in electoral

volatility, as voters feel less bound by earlier voting decisions and can rapidly switch sides in total disregard with their previous political option. It is in this context that the role of politicians as individuals in determining how people view politics has escalated (Karvonen, 2010). Based on previous studies that have focused on the personalization of politics (Kaase, 1994; Rahat and Scheafer, 2007; McAllister, 2007), the process entails one or more of the following: campaigns center increasingly over individual candidates instead of parties; the image of institutions (and of political parties for that matter) rests primarily on their office-holders and less so on the collectivity as a whole, thus sharpening personal profiles; people perceive politics as a conflict between individuals rather than a competition of organized collective interests; all of these in a context in which individual characteristics of politicians are what matter the most in the electoral process, overriding all other issues.

Earlier research has reached the conclusion that the so-called “populist heartland” becomes active only in the presence of political resentment and an attractive populist leader (Mudde, 2004). However, it is not only populist leaders that can be liked by the electorate. The charismatic leadership hypothesis does not work only with populists, because a strong relationship between followers and leaders who elicit passionate popular support is not characteristic only for populists – understood as promoters of illiberal democracy, or antidemocrats (Pappas, 2016). And despite the fact that charisma is a very rare virtue, it is not an attribute solely attached to populist leaders. Therefore, what might influence the personalization of political communication is the degree of resentment, fueled by the anti-elitist discourse of the populists. Promising to fight the bureaucrats in Brussels, their rise and success in the 2014 European elections have triggered a genuine political earthquake. The important scores over time of Nigel Farage’s *United Kingdom Independence Party*, of

Front National in France or of the Dutch *Party for Freedom*, and many more such political organizations across Europe have raised concerns about the future of the European project and the extent to which it would be affected. Euroscepticism has proven to be an ideal embedding for populism, in spite of all the processes that the European Union has undergone in its endeavor to open its institutions to public scrutiny, e.g. more referendums, greater power for the European Parliament, etc. It seemed that “[t]he era in which relatively insulated elites bargained grand treaties in the shadow of an uninterested and generally approving public has come to an end” (Hooghe, 2007). However, the improvements seemed to be insufficient in the eyes of an important part of the electorate. Extended studies have been dedicated to understanding the so-called “democratic deficit” of the European Union and there have been numerous attempts to downturn the lack of legitimacy that institutions in Brussels have been accused of. In spite of all these attempts, only a small number of decisions within the EU remain legitimized by public support through referendums (De Vreese and Boomgaarden, 2005). This is why euroscepticism still holds a strong grip on the public agenda in Brussels, claiming that the interests of the regular people are overridden by “arrogant elites, corrupt politicians and strident minorities” (Canovan, 1999).

The effects of sustained Eurosceptic campaigns across Europe are now more visible than ever. The result of the Brexit referendum of 2016 represented a protest against the functioning of the EU. The pro-Brexit camp promoted the idea of disposing of the “unelected elite” that decides the fate of Europe. Nigel Farage, the former leader of the *United Kingdom Independence Party*, declared several times that the European Union is not “undemocratic”, but it is “anti-democratic”. Such attitudes have been a constant feature at both ends of the political spectrum, with the right arguing that the European project is threatening national identity and sovereignty, while

the left supported the idea that the bureaucratic apparatus in Brussels does nothing but to decide severe measures that only create new burdens on the shoulders of the ordinary citizen without actually helping the economy (De Vries & Edwards, 2009). In this context, immigration developed into one of the main concerns of those on the Eurosceptic side, who believe that elites promote minorities (amongst which immigrants) in the detriment of the People – an approximate sum of the “ordinary” citizens whom populists claim to defend. The image of the populist leader is therefore that of a warrior, who can solve the difficult problems facing his or her followers. Just months before the European elections of 2014, referring to the dangers posed by the EU elite and bureaucracy, Marine Le Pen (leader of the French *Front National*) and Geert Wilders (leader of the Dutch *Party for Freedom*) promised to defeat what they called “the monster in Brussels” (Brummelman, 2013).

Populism and Euroscepticism beyond the former Berlin Wall, but mainly in Romania, have remained under-researched political phenomena, despite the growing political discontent with the EU coming from (old or new) Eastern European political parties. The different political context, which in many cases still wears visible marks of the communist legacy, did not allow parties to develop – under many aspects – in the same way they did in Western societies (Skolkay, 2000). Previous studies have identified a very pronounced dimension of ethnic nationalism in Eastern radical right-wing parties. Markéta Smrčková (2009) argues that far right parties such as the Bulgarian Ataka and Greater Romania Party owe their success to their ingenious combination of orthodox Christianity and anti-Semitic messages. Therefore, the different regional contexts generate different variants of the populist radical right: issues such as clericalism, irredentism, ‘social national’ economy, opposition to ethnic minorities, the EU and corruption are central to these parties (Pirro, 2015). Some Eastern European populist

parties also exhibit strong nostalgia for authoritarianism – regardless of its communist or pre-communist nature. For example, the Greater Romania Party has sometimes claimed to be ideologically rooted in the left, with Corneliu Vadim Tudor – the leader of the party having numerous times declared his admiration for various decisions of the late Romanian Communist dictator – Nicolae Ceaușescu, mostly related to his decisions with a nationalist flavour.

Land Grabbing in Eastern Europe

Eastern European countries are described as being increasingly targeted for ‘land grabbing’ by (inter)national investors and oligarchs (Nolte, Chamberlain, and Giger, 2016). Eastern European countries rank 3rd in the category of most targeted countries worldwide for LSLA, covering a total amount of almost 7 million hectares (LM, 2019).

Specifically, Romania is mentioned as one of the Eastern European countries most severely targeted (e.g., Constantin, Luminița, & Vasile, 2017), in particular the South-Eastern regions Brăila, Călărași and Constanța are currently most severely targeted by transnational oligarchs (Ecoruralis, 2015; Popovici, Mitrică, and Mocanu, 2018). A lack of reliable accurate statistical and scientific data data¹ on land administration is however largely missing (EP, 2015; Popovici *et al.*, 2018). According to the Land Matrix Database, Romania is transnationally targeted for 69 deals covering a total size of 571,148 hectares (Table 1). The Land Matrix database is however underrepresented in Eastern Europe.

1 Overall a lack of accurate and reliable data on land documentation in general, and more specific data on land ownership (titles), large-scale land acquisitions (the Land Matrix public database on land deals is the only source of information and biased/incomplete), land markets, land prices, CAP subsidies, et cetera.

Table 1. Eurasia *targeted* LSLA (size under contract[^]): *transnational* (t) versus *domestic*[^] (d)

Country	t_deals	t_size (ha)	t_size/t_deal (ha)	d_deals	d_size (ha)	d_size/d_deal (ha)	t+d_deals	t+d_size (ha)
Romania 2017	48	343,558	7,157	30	251,459	8,382	78	595,017
Romania 2018 (May)	52	367,573	7,069	31	245,245	7,911	83	612,818
Romania 2018 (Dec.)	58	469,016	8,087	31	245,245	7,911	89	714,261
Romania 2019	69	571,148	8,278	45	307,576	6,835	114	878,724

[^]Domestic in this context means land deals initiated/facilitated by the region itself.

^{*}Contract size, otherwise (if not specified); (1) production size or (2) intended size have been used.

Source: author's own calculations as of 19-01-'17, 07-05-'18, 03-12-'18, & 21-05-'19, based on (LM, 2017, 2018, 2019)

The available data seem to offer a biased view. Several resources (academic & media) reveal that up to 40%² of Romanian arable land³ is in the hands of international investors (Constantin *et al.*, 2017; Ecoruralis, 2015; EESC, 2015; EP, 2015; TNI, 2013). These figures contradict with the figures provided by the Ministry of Agriculture. In October 2018 the PSD Minister of Agriculture Petre Daea claimed that the 40% of land ownership (5,3 mil. ha) by 'foreigners' is not correct, indicating that the real figures are going to be presented soon⁴. Recent data from June 2019 provided more insight. A recent document from the Ministry of Agriculture

2 10% held by non-EU investors, and 20-30% by EU-28 investor countries. These resources refer to a total amount of 5 milj. hectares of land.

3 Total amount of Romanian land used for farming (Utilized Agriculture Area): 13,4 milj. hectares, as of 2017 (including 8,5 hectares of arable land). Source: <https://ec.europa.eu/eurostat/web/products-datasets/-/tag00025>. Accessed 23 June 2019.

4 <https://www.romania-insider.com/minister-foreigners-own-agriculture-land-romania/>. Accessed 24 June 2019.

reveals that the total arable land in the hands of foreign investors is 422,000 ha, and the total arable land of Romania is 9,000,000 ha, that makes 5%, in contradiction to the reported percentages of 40-60%⁵. Concluding that there remains to be a big data gap between 'official' figures and figures presented by the media.

The South-Eastern regions of Romania are generally concerned poorer and more vulnerable for land consolidation and land grabbing in contrast to the Western regions of Banat and Transylvania, although land grabbing also occurs in these regions, but on a smaller scale. In the latter regions, land administration processes were much better organized during the Austro-Hungarian Empire and consequently documented by the upper class. The differences between these two regions are still reflected in contemporary land administration and land transaction processes and practices, which is directly linked to the highly consolidated industrial farms, leased from the state (former state farms).

Currently there is an emerging body of literature studying land grabbing in a European, post-socialist setting (e.g., Carroccio, Crescimanno, Galati, and Tulone, 2016; Constantin *et al.*, 2017; LM, 2018; Nolte *et al.*, 2016; Petrescu-Mag, Petrescu, and Petrescu-Mag, 2017; van der Ploeg, Franco, and Borrás Jr, 2015; Visser and Spoor, 2011)⁶.

There might be several explanations for this relatively 'new phenomenon' of large-scale land grabbing in post-socialist countries. Post-communist transitional regimes still struggle with the legacy of communism, embedded in their institutions

5 <https://lantulalimantar.ro/datele-oficiale-prezentate-de-ministerul-agriculturii-contrazic-propaganda-despre-strainii-care-lucreaza-terenuri-agricole-in-romania/>. Accessed 24 June 2019.

6 Non-academic studies include a study on Land Grabbing in Europe by the Transnational Institute (TNI, 2013), and a study on the Extent of Farmland Grabbing in the EU by the European Parliament (EP, 2015).

and social structures. This has been reflected the last decade in an overall democratic decline, wherein democratic nationalism is slowly replaced by more authoritarian regimes, which makes them less resilient and more vulnerable for corrupt practices. Land fragmentation, fuzziness in land property relations, weak legislation, underdeveloped land markets, high soil fertility, and low land prices⁷ seem to have further contributed to this land grabbing phenomenon in Romania.

Post-communist reforms toward privatization of communal land resulted in a long-term agriculture crisis due to a lack of experience of post-communist regimes with the (global) market economy and the unwillingness to adapt to these new circumstances. In post-socialist land reform processes, former workers on the collective farms were given a share of the land (*pai*). It was however often not clear who previously owned what due to vanished demarcations (Verdery, 2003). Several ‘decollectivization laws’ left farmers with less land than formerly owned (before cooperative ownership during communism), and often ‘left-over’ land was distributed, far away from the original plots (Odobescu, 2016). In Ukraine it took 10 years, from passing a bill in 2003 to the full implementation, resulting in allocation of individual land titles in 2012 (Sarna, 2014).

In Romania ‘*undoing the collective*’ transformed the physical as well as social landscapes for good, from horizontal ‘family state farms’ toward more vertical oriented large-scale commercial farming, which resulted in social and economic polarization (Verdery, 2003). During the Romanian Revolution, succeeded with the fall of the Communist regime, archives in villages were burned, including land documentation, which further contributed to fuzziness and complexities in land administration processes. This makes local landowners

7 The average land price (as of 2016) in Romania is €2,000/ha, compared to €63,000/ha in the Netherlands (Eurostat, 2018).

extra vulnerable for expropriation by (corrupt) local level authorities. Currently 36,7% of Romanian arable land is officially registered in the Cadastre⁸.

EU-membership⁹ brought new challenges. The largest EU expansion of the East with the West was realized in May 2004 when ten countries joined the EU, which included eight Eastern European countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia). Romania joined the European Union, together with Bulgaria in 2007. The transition of former communist countries toward a capitalist Western-style liberal market economy (Cooley, 2003; Deacon, 2000) did not always work out positively, specifically in recent years.

EU-membership enabled easy access to farm subsidies for EU and non-EU stakeholders to invest in low priced Eastern European land, hereby creating an extra stimulus for international investors to invest in Romanian farmland through so-called local and national intermediaries¹⁰. Land purchase by international investors was restricted during the 2007-2014 'Moratorium on land sales' (Ecoruralis, 2015, p. 6).

The Common Agriculture Policy (CAP) is seen as one of the main incentives for large-scale land grabbing in Eastern European states (Borras Jr, Franco, & van der Ploeg, 2013; Geisler, 2015; George & Bache, 2001) (Geisler, 2015; George

8 <http://www.ancpi.ro/index.php/en/>. Accessed 09 February 2020.

9 Source: https://europa.eu/european-union/about-eu/countries/member-countries/romania_en. Accessed 23 June 2019.

10 A recent example that gained quite a lot of media attention, is the investment of the Dutch Rabobank in Romania of 21,000 hectares, spread over 3 regions, with a total of more than 51 villages involved in corresponding regions. In at least 11 cases purchased land is under investigation by the Romanian state prosecutors and anti-corruption authorities for fraudulent practices (Dale-Harris, 2015a, 2015b, 2015c). Dale-Harris specifically discusses the processes and actors involved considering the role of the Rabobank's Rabo Farm in initiating and facilitating land deals in Romania.

and Bache, 2001; Odobescu, 2016; Schivatcheva, 2014; TNI, 2013). Combined with governmental land laws focusing on consolidation of the fragmented post-communist lands (Stockmans, 2018).

Criticism on the CAP was mainly directed toward the ‘productivist model’ of agriculture focussing on large-scale industrial monoculture farming models (Ecoruralis, 2010) and less on small-scale sustainable farming models.

The CAP is currently undergoing a reform. One of the main aspects of the post-2020 CAP is renationalization. Renationalization of the CAP comes with more freedom and responsibilities for EU member states, which can result in unfair competition between sectors and countries, and a decrease in agricultural income¹¹. Renationalization furthermore likely increases governmental power over land deals, which can be even more problematic, combined with current trends in wherein democratic nationalism is slowly being replaced by more autocratic regimes, consequently facing higher levels of corruption. There is increasing evidence that the EU CAP subsidy framework is feeding Eastern-European oligarchs and (state) populists, ‘hiding behind complex ownership structures’¹². As earlier stated; proper data on land administration is largely missing, hereby fueling state corruption and hence land grabs. Further research is needed to support underlying narrative. Apart from fueling Eastern-European oligarchs and populists, the CAP also leads to deterioration of Eastern-European farmland biodiversity, as a consequence of agricultural intensification (Reif and Vermouzek, 2019).

11 See for example: <https://www.farm-europe.eu/news/reforme-de-la-pac-un-projet-de-renationalisation-qui-couterait-20-au-revenu-des-agriculteurs/>.

12 <https://www.nytimes.com/2019/11/03/world/europe/eu-farm-subsidy-hungary.html>. Accessed 7 February 2020.

The sense of ownership and the “foreigner” as a threat to one’s property

In Romania, the fall of communism in 1989 prompted legislative changes that restored properties abusively taken into state property by the former regime. The expansion of private property hereafter (as opposed to the communist times when land property was collective) also generated excessive fragmentation of the agricultural terrain, which in many cases ended up being inadequately farmed and which in turn lead to severe degradation of Romanian farmland (Bălteanu and Popovici, 2010). Privatisation of the agricultural production immediately after the fall of communism was received with significant enthusiasm, but soon had to face reality: many of the new landowners lived in the countryside, with little financial capital (Rizov *et al.*, 2001). Moreover, physical capital also represented a challenge, given massive emigration of Romanians during the transition period, when Romania experienced an unstable economic situation and, for many years, the country’s economic situation worsened (Horváth and Anghel, 2009).

The accession of Romania into the European Union was received with great enthusiasm by Romanians, who have maintained relatively high levels of trust in European institutions over time¹³. European integration was perceived by small land owners as an opportunity to prosper, but it was not always the case, as vulnerabilities have persisted: obsolete agricultural technologies, low levels of education, poverty and lack of know-how in applying for European funding that would aid their farming activities. The pace of the structural changes remained slower than most Romanians would have

¹³ Several studies have pointed out that Romanians are highly appreciative towards the European Union. A recent Eurobarometer has reiterated the positive trend: https://ec.europa.eu/commission/presscorner/detail/en/IP_19_4969. Accessed 15 December 2019.

expected, which slowly gave way to (an initially timid) populist discourse that would use popular dissatisfaction to undermine the benefits of European integration. The main “threat” that this discourse pointed at was not so much the Brussels elite (as is the case with most populist anti-EU political movements around Western Europe), but the “foreigner” – depicted as a Western European individual or company that had enough financial power to buy large portions of land in Romania, often fueled by European subsidies. What is more, an essential characteristic of these “foreigners” was that they would take advantage of the good faith of those who owned land and could not take care of it, and who would be unaware of the relative low price that they were offered for their lands. This discourse is typical for populism, as it exhibits the dichotomy between two antagonistic groups: “enemy of the People” (corrupt elites) and the “pure People” (Mudde, 2004). Land grabbing therefore emerged as a topic that fits the populist Euroskeptic discourse in Romania.

Euroskeptic authoritarian populism and land grabbing: a more inclusive approach

The concept of authoritarian populism (Scoones *et al.*, 2018) can theoretically help in rethinking and reframing the post-communist land grabbing discourse towards more inclusive emancipatory politics, with hence a specific focus on the needs of rural communities. Hereby focusing more on ‘agonistic politics’ across divided groups in the context of conflicts and exploitation in agrarian settings, and the often-ambivalent relationships between the state and the countryside. The agonistic perspective is largely built upon the works of Habermas and Mouffe focusing more on the conflictual nature of liberal democratic regimes (Kapoor, 2002, p. 359), contrary to the deliberative democratic discourse which is ‘unable to deal with the ‘conflictual nature

of democratic politics' Mouffe (2000, p. 5). Mouffe (2000) argues that an agonistic (pluralistic) model of democracy will help in better understanding contemporary politics in countries where there is a 'growing public dissatisfaction with democratic institutions' (Kapoor, 2002, p. 359), which can for example be applied in an Eastern-European setting.

Conclusion

Post-communist regimes still struggle with the legacy of communism, embedded in their institutions and social structures, reflected the last decade in an overall democratic decline (FH, 2017, 2018), wherein democratic nationalism is slowly replaced by more authoritarian regimes, which makes them less resilient and more vulnerable for corrupt practices (Beyme, 1993; FH, 2011; Lührmann *et al.*, 2018; Uslaner, 2008). Eastern European countries needed to transform from a communist state toward a capitalist liberal market oriented democracy without any capitalist background (Eyal, Széleányi, and Townsley, 1998).

The 'abolition of private *'bourgeois'* property' (Marx and Engels, 2004 (1969/1848)) was the central premise during communism. Translated in the '*collectivization of land*' or '*socialization of property*' as the central agriculture principle throughout the former Soviet Union and Eastern Europe, resulting in collective farms (*kolkhozes*), state-farms and private farms (in the case of Poland). State farms were organized through a process of nationalization, which often entailed illegal land confiscation of land from so-called '*enemies of the people*'. Collectivization of land through collective farms was less rigorous and based on the premise of joint property of individual 'family' farms through 'voluntary donations', however '[t]here was little room for negotiation in the decision to join' (Verdery, 2003, p. 42). The Cold War ended with the collapse of communism in 1989, and the dissolution of the

Soviet Union in 1991. In post-communist societies ‘undoing the collective’ transformed the physical as well as social landscapes for good. Post-communist rural land re-distribution processes were often described as fuzzy¹⁴ (e.g., Sturgeon and Sikor, 2004; Verdery, 2004), an extra stimulus for corrupt actors to enter the property playing field.

Land ownership transformed from collective state-owned farms to private ownership, hereby freeing central authorities to deal with land rights issues and providing the rural population, hereby enabling local and national brokers to benefit from this situation (Sturgeon and Sikor, 2004; Verdery, 2004). This is specifically the case in the poorer South-Eastern parts of Romania, where big international industrial farms replaced the state farms.

Another critical point is that in practice post-socialist property rights are far more complex than the Western neo-liberal notion of post-socialist reform, in where property is seen as an exclusive private asset embedded in formal ‘rights’ and ‘obligations’ (Sturgeon and Sikor, 2004). Property is embedded in a framework of local social and cultural processes and (historical)power relations¹⁵. The notion of ‘property rights’ is often perceived and interpreted in a neo-liberal context which does not really ‘fit’ the post-communist ‘capitalism without capitalists’ narrative (Sturgeon and Sikor, 2004). Comparisons can be drawn with post-colonial fuzziness in property relations in Africa and Asia (Sturgeon and Sikor, 2004). This can be directly translated to the Western perspective of the CAP, which does not apply to the local conditions for farmers to obtain EU subsidies. The

¹⁴ The term ‘fuzzy property’ is firstly introduced by Katherine Verdery to describe ambiguities in post socialist property rights; ‘lacking a clarity of borders, owners and exclusion’ (Sturgeon and Sikor, 2004, p. 3).

¹⁵ Authors’ own interpretation inspired by Sturgeon and Sikor (2004); Verdery (2004).

main objective of the recent governmental land law reforms is consolidation of the fragmented land (Vasile, Mihai, and Mirela, 2017), directly benefiting international investors. Organizations like the League of Associations of Agricultural Producers in Romania (LAPAR), are furthermore promoting land purchase by international investors¹⁶.

However, if applied under the right conditions, law reforms can offer a solution for small-scale farmers and their lands. The Romanian parliament is currently drafting a new land law¹⁷ in which land sale is regulated by fixed ceilings to better protect small-scale farmers. Large-scale land transactions by international investors will be restricted to a certain amount of hectares that can be bought and smallholders will be given the first right to buy the land. Also, special attention will be given to the youth. The question remains whether this new law will have a positive impact on smallholders, since land sale is centrally controlled by the government and, as earlier mentioned, further facilitated through local and national intermediaries. Earlier land law reforms did not prevent international actors from entering the property playing field and thus has fed the Euroskeptic populist narratives.

The concept of authoritarian populism can theoretically help to rethink and reframe the post-communist land grabbing discourse towards more inclusive emancipatory politics with a specific focus on the conflictual nature of liberal democratic regimes and the needs of rural communities. This agonistic pluralistic approach can thus help in encountering conflicts that emerge from the Euroskeptic antagonistic populism – land grabbing narrative: the state (or corrupt elites) versus the

¹⁶ <https://www.g4media.ro/propaganda-despre-strainii-care-au-invat-dat-agricultura-din-romania-contrazisa-de-datele-oficiale-ale-ministerul-agriculturii.html>.

¹⁷ See for example: <https://www.romania-insider.com/romanians-priority-farmland-2017>. Accessed 24 February 2019.

people; a constant struggle for agency and power in society. In other words, rethinking and challenging the power balances that emerge from social conflicts. New conflicts over land will continue to emerge in post-socialist regimes. These regimes will continue to be extra vulnerable to land grabbing practices at the expense of the most vulnerable group in society: small-scale subsistence farmers. A bottom-up approach to this conflict is therefore crucial. Inclusiveness and collaboration are the key words. Improving livelihoods, enhancing sustainability in rural areas, promoting local markets, encouraging citizens' movements, and participation in community debates, improving the transparency in communication and access to land data and administration, encourage (local) technological innovations, improving and facilitating agricultural education, better connecting rural with urban areas, et cetera.

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Speaking Energy with Style.
How Does Romania Promote its Energy Profile
through Dialogue and Cooperation in the Region?

Anca C. SINEA

In the aftermath of a heated Russia-Ukraine conflict that led to the annexation of Crimea in March 2014, and in the face of yet another gas dispute that would put the EU once more at risk during the following winter, the European Commission launched a stress test to assess the resilience of the European gas system in the face of a partial or complete interruption of gas supplies coming from Russia. The test was applied to 38 countries of the European Union, the Energy Community, and other neighbouring countries. It revealed once more what was an already anticipated fact: the Eastern Member States of the European Union and the Energy Community countries, largely part of the former communist block, were most exposed to a supply crisis. Moreover, as almost half of the energy consumed by the EU is being used to heat homes, these were labeled the most vulnerable category in the event of such a crisis. The European Union imports more than half of the energy it consumes, and a large part of the imported gas comes from Russia. Several solutions were recommended. Among them, the need for these countries to increase cross-border cooperation and to reinforce the regional dimension of energy cooperation was mentioned (European Commission, 2014).

There are many dimensions to regional energy cooperation. Without hesitation, the technical functionality of regional interconnectedness is the most complex of all. This is also the ultimate goal of the recently created Energy Union. However, it would be difficult to envisage this end-view in the absence of political will and dialogue, which is embedded in steady instruments of cooperation, in institutions and procedures that establish a certain communication design or routine.

In Central and Eastern Europe, Romania finds itself in a double and quite contrasting position. While it is privileged by the high degree of energy independence it possesses as it is the most important gas producer in the area, it also faces massive resource exhaustion as the current wealth is estimated to last a maximum of two decades (Iuga and Dudau, 2018), an aged and technically under-standard infrastructure and issues at the consumption-end of the value chain (Sinea, Jigla, and Murafa, 2018). Romania has low consumption efficiency in the residential sector, due to improper quality buildings, heating systems, and inefficient consumption habits (Sinea, Murafa, and Jigla, 2018). Moreover, there are important access issues as only 44.2% of the households are connected to gas (Iuga and Dudau, 2018). These and other factors render at least 20% of the population in a genuine and complex situation of energy poverty (Sinea, Jigla, and Murafa, 2018).

In the face of this duality, positioning oneself regionally in line with the Commission's recommendations is almost a dilemma, if not a deadlock. Before anything else, such a reference involves the ability to define one's own strategic objectives and to be able to conceptualize them. The immediate step involves engaging with the other regional actors, be it bilaterally or multilaterally, by aiming at goals and values that are common to all. If we were to apply this to the case of Romania, taking into account all the challenges described above, this mission becomes a necessity and almost

a difficulty. However, all the advantages Romania has make the task momentous and meaningful.

In line with these assumptions, the discussion we are advancing in the present article regards Romania's capacity to promote its position as a meaningful regional energy actor through platforms of multilateral cooperation in the field of energy. To this end, the first research question inquires into Romania's ability to develop a regional energy identity and transform it into a political agenda. Thereupon, can energy poverty be effectively used as a *milieu goal* and become the tool to mediate between the national individual and the regional common interest?

Theoretically speaking, the paper builds on two bodies of literature. The first one on regionalism explains the importance of regional cooperation and the momentousness of thinking national strategies within regional frames. The second one provides the reasoning for cooperative dialogue, being closer to the (macro) communication research area, in as far as the international relations theories of Joseph Nye have been embraced as fundamental readings by the public diplomacy niche. This section will place the discussion within the framework of the *hard power-soft power-smart power trynome* proposed by the author. Given the analytical perspective established, we will read into the most important strategic documents in order to understand how Romania defines its regional energy objectives and what importance is being attached to them. Furthermore, there will be a discussion about how institutional actors manage to absorb these political objectives and to translate them into coordinated mandates and a common language. These conclusions are based on interviews lead with key decision-makers working with the institutions targeted. The performance of this regional cooperation effort will be evaluated by looking at structures and institutional protocols rather than at results. Lastly, energy poverty will be proposed as a potential platform of

convergence at regional level and of meaningful engagement for Romania in this part of the continent.

Theoretical background

Multilateral cooperation in the field of energy is not a common exercise in international affairs; therefore, the theoretical background is scarce if not non-existent. The field is rather fertile for any type of bilateral relation due to the high stakes at hand and the many strings attached to this type of relationships. Most of the time bilateral energy cooperation is marked by disproportionate exchanges between the supplier and the contractor, and most of the time, those who are in possession of an important resource are not willing to make multilateral concessions. However, there is a large body of literature that credits any type of regional multilateral cooperation with a positive character. What is more is that this type of interaction is not inertial to governments, but it is the result of intentional socialization and a social construct (Börzel and Risse, 2016). In other words, states cooperate regionally because they have a stake in it. This type of interaction is facilitated by geographic and normative proximity, while it embraces both formal structures and informal practices (*ibid.*). Dialogue can develop at a variety of levels. What is facilitated by the national governments falls, according to Keohane and Nye, in the sphere of regionalism as opposed to regionalization, which implies rather the interaction between non-state actors (Keohane and Nye, 1971). Other authors refrain from too strict of a distinction between these categories and rather speak of the relation between cooperation, integration and governance to produce norms, goods, and public services (Börzel and Risse, 2016; C. Hartmann, 2016; Jetschke and Katada, 2016).

The theory of regionalism has evolved over time to capture pre- and post-World War transformations (Early Regionalism)

and those of the fall of the Iron Curtain (New Regionalism) to the more complex and integrated perspective that we have today of the Contemporary or Compared Regionalism. All these stages speak in a way or another of the porous regional order (Katzenstein, 2005) and of regional worlds (Acharya, 2014) or of interconnected regions (Baldersheim, Haug, and Øgård, 2016) to enlarge the framework. Authors place the phenomenon at the foundation of the current international system, in the sense that increasingly states cannot handle issues on their own, and need to cooperate. As opposed to earlier versions of regionalism, the contemporary version postulates the existence of a diversity of actors and networks of actors and dimensions that interact, but also of a variety of codes of governance (Baert, Scaramagli, and Söderbaum, 2014). Despite maintaining the role of spill-over of norms and models through cooperation, what distinguishes comparative regionalism from early or new regionalism is that there is no one dimensional direction of learning (that is the emanation of good practices traditionally from the Global North to the South) but that the approach is rather that of interconnection, mutual learning, and plurality of references in space and time – legitimately eclectic and inclusive (F. Söderbaum, 2016).

In a globalized international structure cooperation is practiced for various reasons. Some states look at the external or rather transnational challenges they could not sort out on their own (such as global warming, financial crises, migration, market related issues, etc.). Others find internal arguments more convincing (the need for more internal stability, legitimacy, economic growth, etc.) (F. Söderbaum, 2004). Rationalists deem cooperation an instrument of power and control practiced by hegemons to secure balance of power. But they are quite reticent to delegate too much authority to institutions of cooperation. Moreover, they tend to refrain even more from cooperation when the spectrum of dialogue is beyond regional (Börzel, 2016). Some authors posit that cooperation is much

natural to democratic governments (Mansfield, Milner, and Rosendorff, 2000) and market economies (Haas, and Schmitter, 1964), whereas according to others, lesser democratic regimes cooperate too in order to acquire the much-needed legitimacy and trust from international partners (F. Söderbaum, 2004). Cooperation is also a solution to avoid conflict (Rittberger and Schroeder, no year).

Having established the logic of cooperation the question that comes to mind regards the types of actors involved in regional cooperation. Authors bring different perspectives to the table. Generally, scholars of comparative regionalism are reticent to the intergouvernementalism and formalism so typical of neorealism (Antkiewicz and Whalley, 2005; Walt, 1987). Representatives of the liberal branch of international relations postulate that the role of states is important in as far as they foster cooperation between subnational actors and their access to the decision-making process (Moravcsik, 1998). Going a step further, neofunctionalists and adopters of multi-level governance posit that sub-national actors take advantage of the established forms of intergovernmental cooperation to build networks, thus being the main actors of regionalism (Börzel, 2016). They react in return demanding the development of regional institutions to facilitate cooperation (Stone Sweet and Caporaso, 1998). Multi-level governance takes into account the diversity of actors and forms of cooperation between actors, be that hierarchical or less so, formal or informal (Börzel, 2016). From an economic theory perspective, scholars claim cooperation is useful for development (Mansfield and Reinhardt, 2003). While insisting on values, norms, ideas, identities, and discourse, social constructivism posits that cultural similarity determines cooperation, while cultural difference drives the varieties of regionalisms (Acharya, 2014).

What is the point of junction between regional cooperation and national interest?

The largest part of the literature on regionalism has evolved around the European project and what lies beyond cooperation – integration – making it a political desideratum around the world (Haas, 1961). But beyond this discussion, what has happened in the European Union and the advanced form of sectorial cooperation that happened has remained singular. At the end of the '90s, the discussion on market integration and a common currency was doubled by one on regionalization within the EU on the East-West cleavage, which lead to the enlargement of the European Union towards the former communist countries but also to the design of models of cooperation with the ex-communist neighborhood, which lead to the emergence of the concept of “European governance” (Lavenex, 2009). Reference was made to bi- or multilateral cooperation contexts with an effect of spillover of European values; to the instruments of cohesion between the two Europes with the aim to increase the common space of freedom and stability. Some authors even speak of differentiated integration with regard to Member States and not only (Leuffen, 2013).

Irrespective of the way integration or cooperation settled between parties, they have progressed gradually depending on the subject matter. Some policies have a greater cooperation potential, while on other topics parties have a lesser inclination to work together judging they have a higher stake in working independently, such as is the case of energy. Joseph Nye evaluates actors' motivations while doing this trade-off from the perspective of the power theory. From the onset, he departs from the idea that power is relational, and therefore negotiated between parties, and not absolute. Nye makes the difference between *hard-power*, *soft power*, and *smart power*, the last being a strategic combination between the first two in order to meet ends in the most cost-effective

way. In order to determine its own power, the actor will evaluate the context, the targeted public, its own objectives, and the fellow competitors in the region.

As an example, at a regional level the political language is formulated particularly around energy capacities and resources. The one-year-old issue with regard to the BRUA pipeline that is supposed to facilitate the access of Romanian gas all to Europe through Austria and its cutoff before its initial destination, in Hungary; the reservation of a considerable gas capacity by Budapest and the unexplained implications (Olaru, 2017); the heated high-level exchanges with regard to the newly-discovered deep water gas resources in the Black Sea (Cernat, 2018) have led to the development of a particularly bellicose tone with regard to energy in the region. The parties have not refrained from engaging strategically in the dialogue, by appealing to the United States Government for influence (CP, 2018), there have been heated diplomatic exchanges with little appeal to reasonable arguments in the media or in the political discourse. These became the ideal ingredients to fuel populist discourses and antagonistic interstate relations. Despite its advantageous regional energy position, Romania feels at a disadvantage in relation to other regional competitors, which was reflected in later policies to step back from the liberalized energy market and control foreign trade of gas (Nicut, 2018).

In relation to particularly this way of approaching regional engagement, Nye infers that it is risky and almost a trap for a state to believe that power equals material resources exclusively. In doing so, he distinguishes between the material and immaterial components of power. Nye posits that physical capacities (the essence of *hard power*) do not necessarily translate into an equal amount of real power. It is established through negotiation and, thus, depends on the perception of the others. This is why intangible assets (or *soft-power* assets), such as the values of the free market, democracy, justice in

all its varieties, human rights, etc. play an important role in shaping power and position as they have a strong potential to make up for the material strength actors lack. This is due to the capacity of the so-called *milieu goals* to seduce and co-opt. And this is even more important if we speak about a much greater capacity of these components to absorb change and set agendas at regional level. Assets (material or immaterial), Nye suggests, need to be well balanced when a certain level of interaction comes into play, such as to make sure that objectives are met optimally. This is where the concept of *smart power* comes into discussion.

Interaction is, thus, important in this discussion and multilateral frameworks of cooperation act as factors of multiplication of opportunities and outcomes thru multiple networking, while action in solitude hinders prominence. This perspective sets an important link to the constructivist theories on cooperation (Acharya, 2012) and the fact that this implies a process of socialization and negotiation of identity. Therefore, when a state acts in a context of multiple interactions in the hope of assuming a sectorial lead, it can achieve its goal by smartly balancing its agenda with relevant values.

From the institutionalization of capacities to that of values

All too often Romania's regional positioning was debated in terms of capacities and resources, while disregarding the more discreet elements of the multilateral dialogue. Beyond open discourses, it is particularly interesting to know if the trend is maintained at the level of core documents and state policies, if there are any accounts with regard to regional energy cooperation, and whether instruments are devised to absorb these concepts into the business as usual of the competent authorities. But before looking into that, we should first carefully define the regional setting of interest, the

existing platforms of cooperation in regard to which Romania should define its regional energy cooperation agenda. For that purpose, we will look into the document of the European Commission that devises the lines along which the European energy infrastructure and market will be developed with a 2020 vision (European Commission, 2011). The document issued in 2011 identifies seven strategic energy regions, whereas Romania is active at the level of three: one for electricity (the Central/South Eastern Electricity Connections region) and two for fossil fuels, mainly gas (the Southern Gas Corridor and the North-South Gas interconnections and Oil Supply).

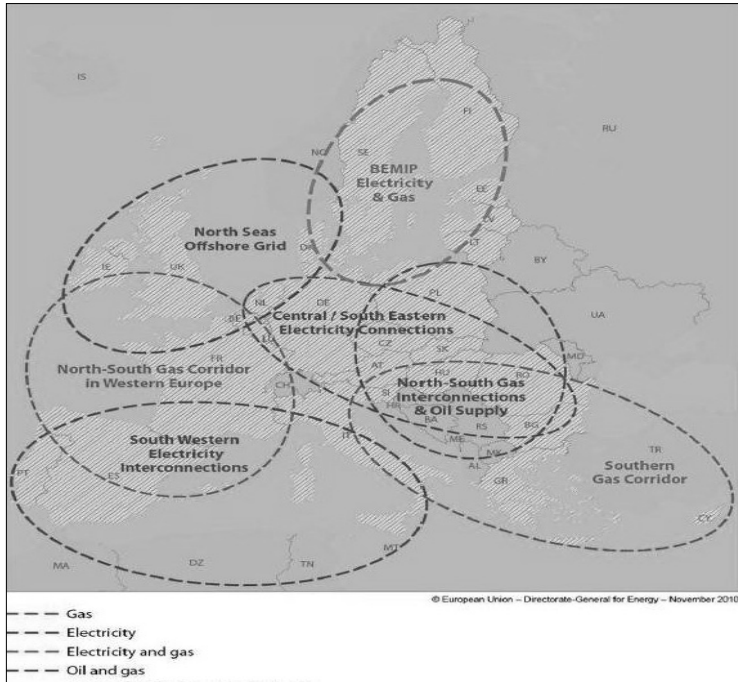


Figure 1. European Energy Regions

Source: European Commission, Energy Infrastructure. Priorities for 2020 and Beyond – A Blueprint for an Integrated European Energy Network 2011, p. 22

There are different forms of interaction at this level. Yet without aiming at devising too strict typologies, some of them involve rather subnational entities, such as the platforms of the Third Energy Package, Energy Regulations Regional Association (ERRA), Council of European Energy Regulators (CEER), European Energy Network (EnR); whereas others are more state-centered and thus more political in nature, such as the Central and South Eastern Europe Energy Connectivity (CESEC), Eastern Partnership, or the Three Seas Initiative. A third category involves states at the level of strategic guidance, whereas subnational actors use the frameworks to interact and push issues on the regional agenda. The Energy Community through its diverse consultation mechanisms, the Energy Charter Treaty that also incorporates international organizations, the 16+1 energy cooperation format or the INOGATE instrument of the European Neighborhood Policy fit this category.

There are at least twelve frameworks of cooperation functioning within the defined region, to which other microdynamics can be added, namely the working groups and instruments that derive from these institutions of reference. The entire milieu is not only particularly interactive and interwoven, with much dialogue established between the formats, but also in terms of how new initiatives arise. Some of them have a bottom-up trajectory, reflecting some of the needs and values of the market. In this context, the EnR formed as a voluntary community of a variety of actors to raise awareness and spread good practices on issues such as energy efficiency (EnR, 2018); the Third Energy Package that institutionalized forms of cooperation born on the market and proven functional in terms of market integration and governance; it was not long until CESEC, which was initially established as a form of consultation between regional energy regulators, turned into a interstate political project to facilitate infrastructure development and incorporated values such as

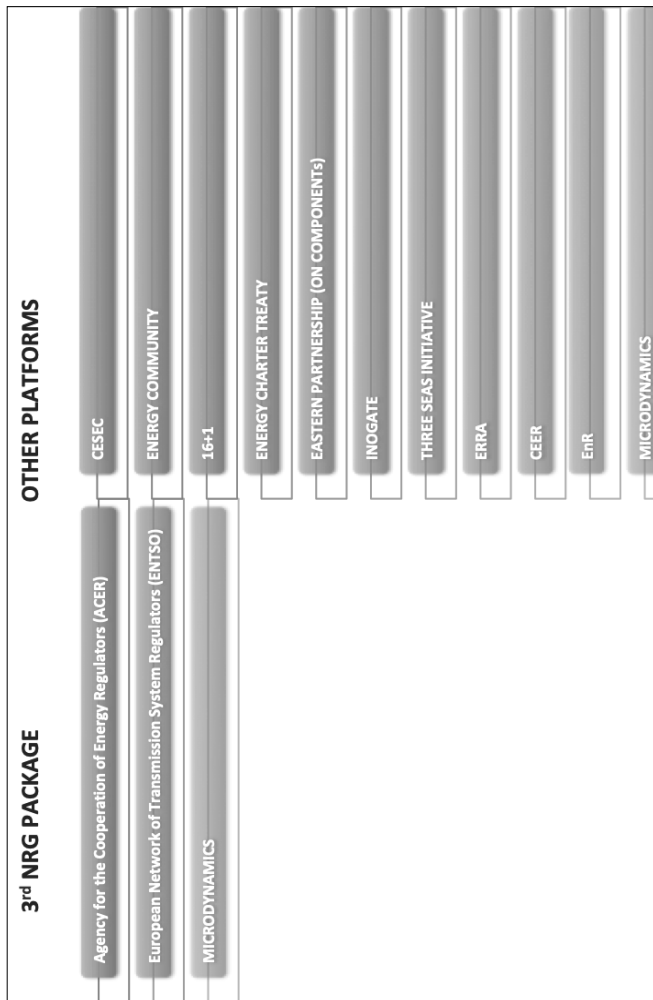


Figure 2. Regional Energy cooperation platforms

consumer-centered market principles and efficiency priorities (Egenhofer and Stroia, 2017).

Other platforms reflect top-down political initiatives, such as the INOGATE (INOGATE, n.d.), the Eastern Partnership or the Energy Charter Treaty that were initiated by the European Union or through the initiative of the regional governments as is the case of the letter. What they all promote unanimously is the same need for good governance, liberalized energy market values, consumer interest and efficiency principles. Irrespective of their particularities, these platforms have all been integrated in the formal structures of the competent institutions functional at the level of the respective Governments. In some of them Romania has engaged for several years now, even as founding members and at high levels of decision (e.g., the 2018 presidencies of EnR and of the Energy Charter Treaty).

In Romania, five institutions share the energy portfolio and coordinate to accomplish the mandate at the level of these regional cooperation platforms. The lead sectorial actor is the Ministry of Energy that has the technical capacity in the field; the Ministry of Foreign Affairs manages international communication; with a portfolio in Foreign Affairs; the Presidency is involved at a political level, including with regard to the National Security agenda setting process; the National Energy Market Regulator observes the well-functioning of the market.

Is there a stake in regional energy cooperation, after all?

A number of documents describe the commitment to regional cooperation and the way energy is integrated in this commitment all the way to the level of the executive bodies. Two methods have been applied to establish the extent to which there is political engagement toward regional cooperation in

the field of energy. One is a systematic analysis of key political and administrative documents. The second method involves semi-structured interviews with key decision-makers in order to establish if the documented mandates have been absorbed in the business as usual of institutions, have become a part of the institutional culture and are valued by the staff.

From a political perspective, two documents should be regarded. The National Security Strategy issued by the State Security Council 2015 affirms a national commitment to intensified regional cooperation. No specific mention is made of regional energy cooperation. This can rather be inferred from other priorities. The context evoked is that of geopolitical instability, whereas energy security is an objective among several. When mentioned, energy is not only associated with material assets such as capacities, diversification of routes and resources, but also in regard values, such as the free market and the consolidation of energy regions, the spill-over of European values, the enactment of energy consumption management and efficiency policies and the enhancement of competitiveness for that matter. These should all be aimed at in a regional context (Administrația Prezidențială, 2015).

Based on the above-mentioned document, Government institutions issue sectorial strategies, including that on energy. Two drafts have been issued in 2016 and 2018, respectively, for public consultation, but none has made it to enactment as of now. In spite of this, interviews with decision makers reveal the fact that these drafts are pivotal in their daily business, reflecting much of their institutional agendas. Both versions are more precise in terms of regional energy cooperation, coining it a priority in terms of interconnections and market harmonization, including with regard to the quality of decision-making in the field of energy in the region, while placing the consumer at the center of these efforts. Moreover, they award great importance to Romania's role

in representing regional interests at the level of European policy-making processes (Ministerul Energiei, 2016).

Administrative documents, be that secondary legislation of regulations that describe de mandates of executive institutions are important when trying to understand how political visions are captured institutionally. Ministry of Energy is the initiator and the driving force behind regional cooperation in the field of energy (Guvernul României, 2015). The institutional routine related to this is allocated to the DG for Legal Affairs, Institutional Relations and International Cooperation, which coordinates and monitors these tasks. Despite this precise mandate, the regional cooperation ordinary becomes imprecise as in the description of assignments no specific reference is made to regional cooperation but only to European affairs. What is more, besides the stipulation that the Minister appoints focal points for every matter of international cooperation, no further task description is made, neither with regard to which these cooperation projects are, nor to what is involved in the tasks of a focal point. There is also no mention to the fundamental objectives or strategy that focal points should observe when managing foreign cooperation (Ministerul Energiei, 2017).

In comparison to the Ministry of Energy, the National Energy Regulator plays an important role in managing and initiating regional cooperation at the level of market norms and has a precise mandate description. The value component is therefore particularly strong at this level. There are also clear reporting routines that are reflected, despite the absence of a clear structure, in successive annual reports (ANRE, 2018). To this adds the agency's obligation to report to the ACER on annual basis.

As a third actor, Ministry of Foreign Affairs is rather a vector of communication and integration between the above-mentioned institutions and various cooperation portfolios. In this respect it is rather marginal with regard

to energy cooperation. However, it appoints the Office of a Special Representative to assume responsibility in this precise direction (Ministerul Afacerilor Externe, 2017). Also, the task of promoting a regional dialogue in the field of energy is specifically devised (Ministerul Afacerilor Externe, 2010), yet accent is placed on capacities rather than values, whereas the normative approach is recognized at the level of market processes (Ministerul Afacerilor Externe, 2016). The need to contribute to the policy-making processes in the field in relation to non-Member States of the region is also mentioned, however vaguely described (Ministerul Afacerilor Externe, 2010). The Foreign Affairs agenda is shared with the Presidency that assumes political lead. However, at the level of the Presidential Administration the energy issue is vaguely split between three departments: on Economic and Social Affairs, on European Affairs, and on International Relations.

Based on the desk review of the above-mentioned policy and administrative documents, it can be confidently concluded that, despite an imprecise description of regional energy cooperation, there is significant understanding of the fact that this type of dialogue is necessary. In spite of this, the lack of conceptual and instrumental unity at the level of implementation, the lack of a common language, the lack of balance in the system, with rather marginal institutions in the field of energy cooperation carrying a clearer mandate in this respect than more central ones, might be due to the lean integration of the concept at the level of strategic documents, respectively due to the absence of an energy policy in the first place.

It can also be concluded that at the level of principle, commitment to regional energy cooperation is established not only in relation to material elements of power, but that there is an affluence of values that is being taken into account. However, the concepts diffuse at the point where political mandates should be transformed into action, and the concrete allocation

of resources is absent. This becomes even more obvious from the interviewing process. When asked to identify platforms of regional cooperation and their order of priority, the answers varied greatly from one institution to the other, with some of the platforms being utterly unknown by decision-makers. While there was a preference for CESEC at the level of Ministry of Foreign Affairs due to its political dimension, ANRE opted for EnR and other platforms that engaged in market norms. The Energy Ministry chose the Energy Community, due to the clear legal structure. There is a clear preference for platforms that fit the mandate of the respective institution. It is no wonder that the Ministry of Energy opted for legal clarity as long as it is the legal department that manages regional affairs.

In the absence of a clear strategy, institutions translate mandates into a language that suits their structure, capacity, and short-term goals. Lack of documentation and follow-up on these regional activities was particularly evident, being blamed on the shortage of personnel and on the primacy of other tasks. This was not the case of ANRE, which stands out as a good practice. But in the case of ANRE one can notice an additional external conditionality: the fact that ACER requests of regulators annual reporting on regional cooperation. In the absence of a strategy the existence of an external conditionality might play an important part in clarifying regional energy cooperation. Recent obligations on the Member States to report on regional cooperation through the so-called Winter Package, might contribute to introducing clarity in this regard, forcing the process from the top down.

How can energy poverty be integrated in a regional cooperation agenda?

Energy poverty has a good potential to become a political priority in the context of regional energy cooperation for a number of reasons. Referring to *the impossibility of a*

household to provide energy services for itself, at affordable prices (Brennan, Zevallos, and Binney, 2011; Liddell, Morris, McKenzie, and Rae, 2012), the concept relates in practice to a variety of aspects of the energy market, covering many of the regional priorities identified. Energy poverty is both a root and effect of social and economic marginalization (Pye and Dobbins, 2015). It is associated with poverty (Reames, 2016). There is an array of very measurable outcomes in relation with health and their impact on health systems (The Marmot Review Team, 2011) or other macro-social and economic costs that have an impact on the national budgets and the general economic performance of Governments (Rademaekers *et al.*, 2016). The concept even has ramifications in the field of capacities, the energy mix and related distortions (Bouzarovski and Herrero, 2017). The quality of indoor and outdoor breathing air and the wider impact on climate change (Hills, 2012) or the discussion with regard to energy efficiency are also a part of it (Househam and Muşatescu, 2012). To these can be added aspects such as good governance or the quality of policy making. All these issues are part of the international agenda and they reflect well in the missions of all regional platforms without exception. They incorporate values and capacities having a particular potential to generate convergence on a variety of topics particularly in a region that is highly affected by the phenomenon – more than 30%, according to some accounts (IENE, 2018), while Romania has its large share of energy poor (Sinea, Murafa, and Jigla, 2018).

In conclusion, regional cooperation is part of the current international setup, as there is no one country that is able to solve its challenges on its own. The language involved in bonding with neighbors employs material interests as well as values. However, a too heavy practice of an agenda related to capacities, rather than norms, can be detrimental to actors, their positioning, and to the regional order itself. Values, instead, have a great capacity to engage, produce regional

dynamics and cause acceptance, which may ultimately turn into recognition and prominence. When speaking its interests in the field of energy in the region, Romania does not lack the adequate language altogether. It has an interest in promoting multilateral engagement in the region and it observes the energy challenges in all its complexities. It employs both values and more material assets. Furthermore, it possesses the regional engagement portfolio it needs. However, too general references and the absence of a common strategy lead to imprecise instruments at the executive level, to incoherence in language, to little coordination between authorities, to a great deal of free-riding and, ultimately, to a lack of positive outcomes. The employment of European values, such as the energy poverty agenda, and instruments (annual reporting on cooperation and energy poverty) can be meaningful in calibrating the regional energy cooperation task. In terms of benefits, this can come not only to the personal advantage, but to the regional one, by reducing the tensions that have built up around resource and capacity strategies and by turning them into cooperation opportunities in order to achieve energy values.

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Between Essence and Appearance. The Rule of Law in the Field of Taxation

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Abstract. The Rule of Law represents one of the strongest pillars on which the European Union has built its entire body of legislation, guaranteeing legal certainty and transparency of norms, along with the protection of rights for EU citizens, as enshrined in article 2 of the Treaty on the European Union. Yet, this constitutional principle seems to lose a part of its spirit and strength when we are referring to the fields of taxation and fiscal law. This particular issue finds its roots in the lack of balance existing between taxpayers and the tax administration, the difficulties encountered when trying to understand the law and the absence of accountability for the cases when the fiscal organs fail to meet their duties.

This study represents an approach based on quantitative and qualitative research methods, namely, the analysis of data and files resulting from jurisprudence of various European Member States and the interview of various actors in the field. The paper aims at emphasising a common issue we are facing nowadays in the field of taxation as a consequence of Member States of the European Union disregarding certain aspects of the constitutional principle that is the Rule of Law.

Keywords: rule of law, taxation, European Union, fiscal law, EU citizens.

The Rule of Law: General remarks

The rule of law, as we know it today, is the fundamental legal principle regarded as a universal value by most constitutional traditions, bounding the state by the law. Generally speaking, it establishes that the judicial system must be accessible and impartial, and the law must be foreseeable, constant (legality), clear, non-retrospective (legal certainty), and transparent. Its main aim is protecting citizens from potential abuses committed by state authorities.

The Rule of Law and the European Union

When it comes to the European Union, the rule of law is one of the most important paradigms on which the Community has been founded and, at the same time, the normative basis which all of its rules are springing from. The principle entails a set of values as mentioned by Gosalbo-Bono (2010) in his work, which we will put into context and briefly elaborate on for the purpose of this paper:

1. Prohibition of Arbitrariness. EU laws must not be exercised arbitrarily, by neither the Member States nor Union Institutions. Moreover, the aforementioned norms must be prospective, clear, and easily accessible. The first criteria denoted through the word ‘prospective’, seen as the transparency of the law-making process and foreseeability of legal norms also constitutes one of the prerequisites for Union membership, mentioned by the Commission within the Copenhagen criteria (European Commission, 2016).
2. Supremacy of Law. This value should also be seen in relation to other foundational principles such as the principle of supremacy of EU law (*Costa/ENEL* [1964]), autonomy (*Van Gend en Loos* [1963]) and legal certainty. Thus, every action taken by either MS or the Union institution shall be based on the EU primary and

secondary legislation to which MS have consented to adhere voluntarily (European Commission, 2016).

3. Respect for Human Rights. Enshrined in art. 6 TEU, this principle bounds EU Member States and its Institutions to ensure an adequate protection of citizens against any form of abuse; i.e. by taking all the measures to ensure a fair and equal application of the legal norms.

In the landmark judgment given by the *Les Verts* (1986), the European Court of Justice deemed the rule of law principle as a part of the constitutional framework of the European Union, back then the European Economic Community. The Court stressed within this judgment the fact that all measures must be “in conformity with the basic constitutional charter, the Treaty...” (*Les Verts* [1986]).

The rule of law was laid down on paper for the first time among the values on which the Union was founded, as article 2 within the Maastricht Treaty in 1992 (Palombella, 2016, p. 36), the predecessor of what we know today as being the Lisbon Treaty or Treaty on the European Union. Reinforced by the principle of mutual recognition, the conjunction between these two axioms guarantee the consistent and uniform application of the norms set forward by the legislature, as well as the engagement of MS to respect the EU norms and strike a fair balance within the state-individual relationship. Therefore, this implies that national laws should be in line with the general principle of proportionality as follows:

“[...] measures are appropriate and necessary in order to achieve the objectives legitimately pursued by the legislation in question; when there is a choice between several appropriate measures recourse must be had to the least onerous, and the disadvantages caused must not be disproportionate to the aims pursued” (Fedesa [1990]).

In case of doubt as to the understanding of the EU law, MS can set forward an application for a preliminary ruling to the European Court of Justice. The Court is to be seen as the only arbiter regarding the interpretation of EU law, establishing the national courts to take a proper decision later on based on the explanations provided by the Court (*Lamairé* [1994]). This procedure, enshrined in art. 267 TFEU, guarantees a uniform understanding and application of the legal norms throughout the entire Union, the rulings having an *erga omnes*¹ effect.

Breaches art. 2 TEU, which are to be assessed by the Council (Hillon, 2016, p. 65), carry with them serious consequences. Added by the Amsterdam Treaty in 1997, art. 7 TEU allows the suspension of MS rights, including its voting rights in case of a violation. However, given the uprising events in Austria during the beginning of 2000, an interim step was discussed and adopted within the Treaty of Niece one year later, the threshold for the invocation of the so called ‘nuclear’ (Kochenov, 2017) art. 7 TEU being raised. Thus, this enforcement mechanism has remained a last resort measure ever since and has not been activated yet.

Further on in this research, we will assess whether this principle has been respected by the Romanian authorities when it comes to the field of taxation.

The Rule of Law and the Romanian tax legislation

“Taxes are established for the purpose of covering the expenses of Member States and to ensure their sustainability” (European Commission, 2012, p. 4) and for these reasons the law dedicated an entire field in order to regulate taxes and contributions. Therefore, tax law represents the “body of rules under which a public authority has a claim on taxpayers,

¹ Applicable to all MS, from Latin ‘towards all’.

requiring them to transfer to the authority part of their income or property” (McLure and van Hautte, 1999).

The Romanian Tax Code and the Tax Procedure Code represent the main body of legislation regarding fiscal law in Romania. The first one contains the taxes and contributions taxpayers have to give to the state, while the second one contains the procedural rules needed in order to pay those taxes, along with the procedure to follow when interacting with the fiscal administration.

Romanian doctrine analyzes both the Tax and the Tax Procedure Code in various papers and it is easy to notice a tendency to critique both of them. In Costas (2016), the authors are pointing out various deficiencies found in the Tax Procedure Code. Starting with the faulty way some of the articles are put on paper and going to the lack of coordination between the national law and European jurisprudence, the procedural norm finds itself having a variety of shortcomings that need to be addressed.

For example, in article 9 of the Tax Procedure Code, found under the name ‘the right to be listened’, the legislation guarantees in the first paragraph that the taxpayer is entitled to express his point of view regarding the relevant facts and surroundings, before the tax administration makes a decision. It is easily remarked that the right guaranteed in the title of the article becomes something different, namely, the right to express a point of view, “which does not necessarily mean to actually listen to the taxpayer, since the point of view can also be written” (Costas, 2016, p. 26). Thus, we can no longer speak of a promise for a hearing in front of the tax administration, but perhaps a mere call for documents that could easily get overlooked.

Along with article 9 of the Tax Procedure Code, there are many other examples in which the law fails to be clear so that the taxpayers would be able to easily understand their obligations before the state. Accessibility to the norms, understood as legislation that can be easily grasped without

higher education in the field of law or economics, is guaranteed by the European Union through the principle that is the rule of law. Yet, in tax legislation this characteristic of the laws is neglected, making it nearly impossible for taxpayers to have real access to the norm that regulates their taxes and contributions to the state.

Methodology

The interview research method

The rule of law as a constitutional principle of the European Union is supposed to be a guide for the Member States to develop their legislation according to it and for the administration to keep in mind for when they exercise their authority. This principle, however, seems to lose some of its power in the field of legislation in both cases presented before. In order to do the research for this paper, we applied the interview method, a qualitative approach. The subjects of the interview were chosen randomly as we wanted to show the relationship between taxpayers and the tax legislation and the relationship between them and the tax administration. Thus, the subjects of our research were all business owners from different fields and areas of the country who have to deal with paying taxes in order to have their companies run legally. Out of the 23 subjects interviewed, 5 were accountants and another one was a person with legal studies, while the rest were taxpayers managing their own businesses.

Out of the questions asked, the most important were:

- *Do you know exactly what contributions you owe to the state?*
- *How do you consider the actual fiscal legislation?*
- *Would you be able to calculate your own taxes and contributions using only the legislation?*
- *Did you have any conflict with the tax administration?*
- *Do you trust the tax administration?*

To the first question we asked, 13 out of 23 people could tell us exactly the taxes they are paying each month, while the other two had a general idea, but they were not able to name all of them. The answers to the second question revealed that 20 out of the 23 people we interviewed do not believe that tax legislation is good enough. To the third question only 5 respondents said that they could correctly calculate their taxes and contributions and that one was the accountant, while another said that they could not be able to pay their taxes without the help of someone from an economic field. From our 23 interviewed, 10 had conflicts with the tax administration, due to the actions of the latter. They mentioned the sources of the conflicts, which were mostly generated by the fact that the tax administration made them pay more than they were supposed to, they failed to answer questions, and they had a generally poor response to the needs of the taxpayers. To our final question, 20 out of 23 participants in the interview said that they do not trust the tax administration and that they do not feel like the fiscal organs could be of an actual help to them.

This interview helped us draw a few conclusions regarding the attitude taxpayers have towards the field of taxation and, unfortunately, most of them do not feel very strongly of it. The contributors we interview, all of them owners of businesses that have been in the field for a while, cannot trust the legislation, cannot fully understand it, and they cannot rely under any circumstances on the tax administration.

Statistics

Changes in tax legislation

The first fiscal code Romania was adopted in 2003 and since then the legislation kept on changing constantly. Nowadays, we can count a number of 60 changes or more that have occurred to the tax legislation in the past 15 years,

one of them being a major change of the entire Tax Code and Tax Procedure Code in 2016.

From a statistical point of view, this can be translated as roughly four changes made every year. This number alone is worrisome, given how hard it is to keep up with so many changes of norms which are already hard to follow. The fact that there are so many modifications does not offer a certainty of the law for taxpayers and this fact does not abide by the rule of law and the guarantees brought along by it.

Cases sent for Preliminary Ruling

Romania sent its first case to the European Court of Justice in 2008 and since then another 232 cases followed the same path to the court. Out of the cases sent for preliminary ruling, 59 are in the field of taxation, the national courts asking the European Court for interpretation of the law, according to European standards and in the light of European norms.

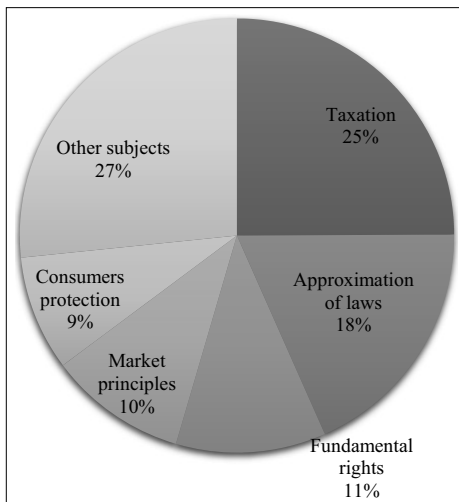


Figure 1. Distribution of cases sent to the CJEU

This statistic shows us that out of all the subjects that can reach the Court of Justice of the European Union, taxation is by far the most frequently sent one. While there have been numerous cases on various other subjects sent for preliminary ruling, such as the approximation of laws (43 cases) or fundamental rights (26 cases), they have yet a long way to go before reaching the number of cases sent on taxation.

Conclusion

After going through the research we have presented, we reached a number of conclusions. We realized that taxpayers do not trust the tax legislation they have to abide by, nor the tax administration they have to work with. Moreover, by analyzing the norms, it is easy to notice that the Romanian tax legislation does not meet the required standards of the European Union and does not offer the protection of rights, equitability, transparency, and certainty of the law as they are guaranteed by the rule of law.

For the future, we can only hope that the issues we pointed out through this paper will come to an end, and the taxpayers will be able to finally trust and properly use the very law they have to abide.

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Artificial Intelligence as a Double-Edged Solving Factor in Media Disinformation

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Abstract.

The authors intend to present an overview on the current use of artificial intelligent systems in tracking, analyzing, and evaluating internet users' communication data in the social media forums and assess its usability in preventing information misuse. An examination of the intelligent systems' complexities, due to determine the generic information veracity, falseness, or inaccuracy, is given. A short sociological and philosophical overview on the generic internet user's perception of absolute and relative truth is presented. Limitations and drawbacks related to nowadays' artificial intelligence approaches to tackle misinformation and news reliability in media systems is also presented. Finally, based on the existing R&D, indications are given on the possible solutions that could be adopted by decision-makers and stakeholders to improve the trustfulness, safety, and reliability of the information that circulates in the internet forums.

Keywords: Artificial intelligence, web forums, information verification, safety, trustfulness, supervision.

Introduction

The use of intelligent algorithms (intended as the code strings for the elaboration of data and simpler tasks within complex computer programs) and artificial intelligence (AI) (intended as the complex forms of reasoning of various computer programs) in the web system services are at an epochal turn, whatever their intended scopes might be (Brynjolfsson and McAfee, 2014). Some recent worldwide disputes between sovereign states, on the claim of illicit and illegal internet intrusions in media forums with the purpose of influencing specific web communities' moods on sensitive matters (Boyd *et al.*, 2018; Fandos and Roose, 2018; ICA, 2017; Ohlin, 2016; Woolley, 2016), have brought the importance of the trustfulness of the media sources (i.e., the certainty of the true originators of the information) and their contents (i.e., the reliability and verifiability of the arguments) to the attention of the policy-makers and the internet stakeholders. The powerful attribute of the internet as a widespread platform of freedom of communication is challenged by the abuse and misuse of some of its characteristics (among which its openness, variety of information resources and ease of access), leaving many of the web communities in unprotected and uncertain territories (Vargo *et al.*, 2018). Rumors, despite their unreliability, can easily raise into *sure truths* even when obviously biased and lacking of any verifiable value, authenticity, or substantiating scientific data (Glenza, 2018; Houston, 2018). As an example to underline the severity with which rumors can affect people, in recent times there have been cases of assassinations and death threatening by mobs that were instigated by false information spreading through some social media (Biswas, 2018; Gannon, 2018; Goel *et al.*, 2018). It must be noted that the media manipulation and the misuse of the social media appears to be affecting the whole internet community, without geographical restrictions. Studies show that there are many cases of misuse, forgery,

and abuse of information where individuals or organizations operate behind the scenes with specific strategies in mind (Allcott and Gentzkow, 2017; Kumar and Shah, 2018) but there also exist a great amount of cases where the misinformation is the result of word on the street generated by individual opinions that grow into wide-spread rumors and then into self-established *sure truths* (Kumar and Shah, 2018; Sharma *et al.*, 2017). These malevolent and ignorant-based use of the internet means easily meet into symbiotic growing patterns. The partial digital illiteracy of the web communities provides the intellectual humus for the penetration and proliferation of the disinformation and biased information. It is a fact that internet has created a world of digital opportunities for communication and sharing platforms with technologies that grow at higher rate than people's digital literacy (Leu *et al.*, 2004; Leu *et al.*, 2017; Livingstone, 2004; Prensky, 2016). This technological change, opposed to the internet users' digital literacy, is both prominent and inevitable (Kelly, 2017).

Web communities and the virtualization of truth

Transparency and clearness in data representation, its use and communication has been one of the foci of interest of the European institutions during the last years (EU 2016/679; King, 2018; Renda, 2018). Considering a holistic approach to the electronic information communication sectors, to evaluate and distinguish between various levels of truthfulness, veracity, accountability, reliability, and soundness of textual contents is not an easy task. It is well-known that in general the veracity validation of a physical science statement (the so-called *exact sciences*, i.e. mathematics, physics, chemistry, etc.) is much easier than a statement falling within the fields of the human sciences (i.e., philosophy, morality, politics, etc.) (Beck, 1949; Camerer *et al.*, 2018; Ingthorsson, 2013; Law, 2004; O'Grady, 2018). Despite a great degree of veracity uncertainty

existing in the web information and communication (due to the social sciences' paradigm), platforms of web communities are often created and promoted according to strong social principles of communication where assumed truths and unverified sources of knowledge dictate moods and opinions (Modreanu, 2017). One main reason for this could be found in the internet users' tendency to polarization and their lack of cultural preparation into screening, analyzing, and critically interacting on issues and subjects (Sunstein, 2018). The internet users' vulnerability to open sharing and unprotected interactivity (i.e., lack of arbiters or supervisors) can produce individual negative behaviors (from emotional regression to psychological rejection) and in many cases leading into severe conditions of depression (Rideout and Fox, 2018). Kohle and Raj (2018) underline in their study that, depending on the hours-per-day usage, in social media the "information is no longer processed at a deeper level, but absorbed superficially instead", along a lessening of the users' cognitive skills degrading into forms of dementia. In many cases, the novelty of the information is valued over the fact checking and new false stories are distributed quite freely (Vosoughi *et al.*, 2018). Reality and truth representation in the web tend to acquire peculiar distorted forms when its data is biased with ignorance or malignity (usually with a purpose) by the information feeders. To identify and classify internet information as true, false, or not entirely true (a more difficult evaluation situation) is not always as easy as it would be envisaged, due to the available scientific tools pertaining to the non-exact human sciences (Camerer *et al.*, 2018; Law, 2004; O'Grady, 2018). The level of knowledge, or relative ignorance, of the internet users have a play in their strength or vulnerability in web information sharing and communication means (both as recipients or feeders). As Allcott and Gentzkow (2017) show in their study on real data and fake news, when dealing about the truth and its

representation (in the web as outside its boundaries) a focus should be set on increasing the users' cognitive skills so that "education should increase people's ability to discern fact from fiction" and "in the presence of motivated reasoning, education gives people better tools to counterargue against incongruent information" (Allcott and Gentzkow, 2017).

Use and abuse of artificial intelligence in web residing engines

It is interesting to notice how many misconceptions still persist in e-literate audience in relation to what structures of AI and its applications are possible when dealing with human-like intelligence for servicing the internet communities. The change in system development, mainly incorporating AI technologies of machine learning and neural networks into the mainstream software development, has transformed the systems from hand-coded rule driven systems to AI systems that implement software behavior from big data that is automatically collected (Karpathy, 2017). Probably the over-enthusiasm expressed by many researchers on their scientific achievements and their breakthrough in coding design is partially misunderstood and partially over-estimated by sectorial non-experts. It is true, though, that in many cases AI has been developed into sophisticated forms of reasoning systems. Nevertheless it is important to be aware that the real understanding of an instructed systems (embedding the AI) is always limited by its means (to explore, perceive, store, and eventually update/upgrade), its scopes (paradigms to be followed and tasks to be executed), its creators' cognitive visions (in other words, to this day, the intelligence of *the creator* dictates the intelligence of *the created*) and its knowledge platforms (what kind of informative education and instructions have been fed into the knowledge base of the system) (Luger, 2009; Russell and Norvig, 2016; Schulze, 2017).

Intelligent algorithms are often used for servicing, profiling, monitoring, and data/metadata analyzing. Usually most of these activities have low intelligence demands (more or less related to data elaboration and the extraction of structured or semi-structured data patterns from the available information) and hence their required intelligences are mainly meant to aid (in autonomous or semi-autonomous intelligent behavior) human supervisors in carrying out cumbersome analytical tasks. Intelligent algorithms show best their added value whenever huge amounts of data need to be assessed to extract specific information for further processing purposes (i.e., following schemas and structured models). For example, during the last years a greater attention has been given to the use of AI in the sector of cyber espionage and data monitoring (monitoring of *any* data). Whoever is involved into cyber-spying activities (e.g., the NSA and NCA for USA, the MVD and GRU for Russia or the PLA for China) (Ellis, 2015; Clarke and Knake, 2014; Connell and Vogler, 2017) needs to complement its virtual spying systems with a human supervision to determine the accuracy of the detection and the sensitive probing (Bojor, 2018; Saalbach, 2018, Umukoro and Lulu, 2018; Williams and Fiddner, 2016). As said before, closer is a detected information (in the form of a data string, a natural language expression, etc.) to an exact science statement, easier is its accuracy validation; closer is a detected information to a non-exact science statement (i.e., related to social sciences), more difficult will be its accuracy validation (hence requiring a higher intelligence, i.e. faster and better AI, and a stricter human supervision). This factual truth stands true for anyone in need to handle data evaluation and interpretation via use of AI.

Most of the cyber information and media sharing generally pertain to social sciences' sectors (non-exact sciences), for which reason it is hard for actual AI systems to concurrently elaborate and assess huge amounts of information without

a high probability of errors. In addition to the detection of the sources' reliability, which could be obtained via certified databases (i.e., reference databases) and cross-checking comparison with similar data, stands the non-easy (even for a trained educated human mind) interpretation issue of the information contents. There are elements in textual information that create various degrees of uncertainty. Among these, just to mention a few ones, are the linguistic forms, the feeder cultural background, the feeder educational level, and the expressivity modes (in terms of emotional charge or twisted expression styles, such as sarcasm, satire, or irony, etc.); they all dumbfound the intelligent systems (Cambria *et al.*, 2017; Reyes *et al.*, 2012; Rubin *et al.*, 2016). In our opinion, it is obvious that sentiment analysis needs to be integrated in the future AI systems for more exact text content classification and evaluation.

True, false, maybe

Kumar and Shah (2018) point out that the “majority of the research has primarily focused on two broad categories of false information: opinion-based (e.g., fake reviews), and fact-based (e.g., false news and hoaxes)” and add that “false information would not have any influence if readers were able to tell that it is false.” Various research studies have shown that humans are quite poor at detecting false information and distinguishing it from true information (Gelfert, 2018; Kumar *et al.*, 2016; Kumar and Shah, 2018; Ott *et al.*, 2011; Pérez-Rosas *et al.*, 2017; Yao *et al.*, 2017). In the previous chapter we remarked how the *non-exact science* nature of the communicated information poses uncertainty in its interpretation and hence in its deep understanding. This screening uncertainty (i.e., the individual cognitive perception unclarity) with its many expressivity variables that do affect the possible meaning of the given information, is a major reason for most of the humans' lack

of discernment. Shu *et al.* (2017) remark that “fake news detection on social media presents unique characteristics and challenges that make existing detection algorithms from traditional news media ineffective or not applicable”. The exact logic that is meant to constitute the reasoning processes of AI has not yet been integrated with the human variables of affection and emotions. In addition to this, that information that presents mixed meanings and that requires interpretation for being assessed are well beyond the reasoning reach of any standard AI system.

Allcott and Gentzkow (2017) examined inference of true and false information in social media in the USA election in 2016:

“we study inference about true versus false news headlines in our survey data. Education, age, and total media consumption are strongly associated with more accurate beliefs about whether headlines are true or false. Democrats and Republicans are both about 15 percent more likely to believe ideologically aligned headlines, and this ideologically aligned inference is substantially stronger for people with ideologically segregated social media networks.”

In other words, the belonging of an individual to a specific group exposes that individual to less objectivity and poorer inference. Allcott and Gentzkow (2017) also remark that the effectiveness of fake news affecting people is dependent on the fake news exposure. People are more prone to believe to information coming from sources that belong to own chosen networks. This behavior can be explained by the need of the individual to build trust and to create a sense of community (McMillan, 1996). Artificial intelligent systems should be equipped with social algorithms to detect within frameworks the deviant elements from their reference absolute truths (a possible dichotomy when dealing with social sciences)

and from their reference relative truths (i.e., the one that is restricted to a minority not in opposition to the absolute truth).

Conclusions

In the current situation it is quite easy to identify the sources from which certain specific data and information propagates, tracking back single operations to its exact originator. Due to interpretative and evaluation limitations by AI systems, it is a completely different matter to assess the malevolent contents of textual data when this is introduced in forums. A human supervision of the analytical works conducted by AI systems remains for the near future the most feasible and effective solution in detecting and isolating illicit and illegal actions. Comparative systems can be created to instruct intelligent systems for guarding the safety and the soundness of data sharing in the cyberspace. There is no easy approach to deal about true or fake news, data manipulation and misinterpretation because there is not (*yet*) an absolute form of truth for AI in non-exact sciences (which includes sociology, science of communication, politics, etc.). Some works are under way to introduce ethical decision making in AI processing systems but this has still to come. For sure policy makers can indicate and even demand from cyberspace stakeholders specific actions to increase the safety and protection of the common users' access and usage of the cyberspace against any form of abuse. If any action for improvement will be left to the discretion of the cyberspace stakeholders there will be very slow and inappropriate corrective measures to regulate the quality of the circulating information in the communication systems. The main reasons for this lagging would be in the high costs involved in the upgrading transformation of the intelligent systems and a lack of democratic self-determination (i.e., *pecuniae omnia parent*).

We make ours the words of Leu *et al.* (2017), “we believe that we are on the cusp of a new era in literacy theory, research, and practice, one in which the nature of reading, writing, and communication is being fundamentally transformed by the Internet. It will be up to each of us to recognize these changes and develop a richer understanding of them as we seek to prepare students for the new literacies of the Internet and other ICTs that define their future” with a warning in the words of Allcott and Gentzkow (2017), “identifying fake news sites and articles also raises important questions about who becomes the arbiter of truth.” And we all know that who is going to control the information will eventually control the society.

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Check your Discourse: The Framing Behind Pro or Anti Political Statements

Michael STURDZA

Abstract. This paper describes a rule-based automated system that identifies the type of framing in political discourse. The system uses the morphological, syntactical, and relational information of each word of the input sentence to assign a case grammar role. After extracting the semantic structure of the text, sentiment implicature rules determine how political statements are framed, what sentiment the actor has about the issue, and help the researcher discover new implicit information.

Keywords: frame analysis, automated, semantic network, parser, sentiment analysis.

Introduction

The application of computational linguistics in framing analysis has become a necessity when dealing with large textual data sets. The volume of user content produced on digital platforms and social media requires that automation be implemented when performing text analysis. These oftentimes large data sets are a wealth of information for social scientists. The purpose of this article is to describe a rule-based automated system that can identify framing functions in the statements of political actors. The proposed system is divided

into four distinct phases. In the first phase, a parser is used to extract the morphological and syntactical information of the input text. In the second phase, transformational rules are applied to the parsed sentence in order to assign semantic roles to each word and build a semantic network. In the third phase, sentiment analysis determines the positive or negative values and states of the semantic roles in order to identify framing functions according to Robert Entman's views. The resulting semantic network data set is stored and displayed in a knowledge graph-based database called GRAKN.AI (Messina *et al.*, 2017).

Framing

Entman's (1993) definition serves as the basis of the system:

“Frames, then, define problems – determine what a causal Agent is doing with what costs and benefits, usually measured in terms of common cultural values, diagnose causes – identify the forces creating the problem; make moral judgments – evaluate causal Agents and their effects; and suggest remedies – offer and justify treatments for the problems and predict their likely effects” (p. 52).

In the first phase of the operationalization of Entman's framing functions, software known as a parser is used to extract the syntactical and morphological information of each word of the input sentence. In order to identify the framing functions, the system uses spaCy parser and Microsoft Visual Foxpro (VFP) language to program the automated semantic and sentiment analysis. The resulting semantic network is stored in GRAKN.AI, a knowledge graph where it can be visualized and queried.

Parsing Phase

A parser is software used in computational linguistics to extract the morphological and syntactical information from text and enables the system to perform a syntactic analysis. The system uses the spaCy parser developed by Matthew Honnibal which enables the system to identify the Part-of-speech tags of each word in the sentence (Honnibal and Johnson, 2015). The information spaCy provides is used to automatically identify the semantic roles in the parsed sentences of a political statement by using a set of transformational rules further discussed in this article. To exemplify the system's approach, the following parsed political statement is used as the reference example:

“The future of Jerusalem... needs to be negotiated with Israel, with the Palestinians, sitting side by side directly in negotiations...” – Nikolay Mladenov, United Nations Middle East Envoy (“From Far East to Vatican, leaders sound alarm over US Jerusalem recognition”, 2017).

This political statement issued by the United Nations Middle East Envoy was in reaction to US President Donald Trump's declaring on December 6th 2017, that the United States recognizes Jerusalem as the capital of the state of Israel, and the relocation of the embassy from Tel Aviv to Jerusalem (“Statement by President Trump on Jerusalem, December 6, 2017 | U.S. Embassy & Consulates in Italy”, 2018).

SpaCy determines how each word is associated using index and pointer numbers. The word order appears in the index column, while the Pos2 and Pos3 columns determine the word's part-of-speech. The syntactic information is indicated by the Dprep column. The values of the index and pointer columns indicate the word relation, and is called the index-pointer chain. According to Figure 1, “Future” at index 2 with pointer 5, is related to index 5 of the word “needs.”

Index	Word	Pos2	Pos3	Pointer	Dprep
1	The	DET	DT	2	det
2	future	NOUN	NN	5	nsubj
3	of	ADP	IN	2	prep
4	Jerusalem	PROPN	NNP	3	pobj
5	needs	VERB	VBZ	5	ROOT
6	to	PART	TO	8	aux
7	be	VERB	VB	8	auxpass
8	negotiated	VERB	VBN	5	xcomp
9	with	ADP	IN	8	prep
10	Israel	PROPN	NNP	9	pobj
11	,	PUNCT	.	8	punct
12	with	ADP	IN	8	prep
13	the	DET	DT	14	det
14	Palestinians	PROPN	NNPS	12	pobj
15	,	PUNCT	.	8	punct
16	sitting	VERB	VBG	8	advcl
17	side	NOUN	NN	16	npadvmod
18	by	ADP	IN	16	prep
19	side	NOUN	NN	18	pobj
20	directly	ADV	RB	16	advmod
21	in	ADP	IN	16	prep
22	negotiations	NOUN	NNS	16	pobj
23	,	.	.	5	punct

Figure 1. Illustrates the spaCy output loaded into a VFP table

Pointer 5, indicates the word relationship between “Future” and “needs”, is that of “nsubj” (nominal subject). The morphology of the words and the information provided by spaCy is the bedrock that the system uses to assign Fillmore’s semantic roles to the words of the input text.

Semantic network phase

The system uses semantic roles as conceptualized by Fillmore. In his seminal work “A case for case”, Fillmore (1968) explains that each verb has a number of deep cases or semantic roles: “The case notions comprise a set of universal, presumably innate, concepts which identify certain types of judgments human beings are capable of making about the events that are going on around them, judgments about such matters as who did it, who it happened to, and what got changed” (pp. 45-46).

In modern linguistics, case or thematic roles indicate that “there is a (short) list of core *Generalized Thematic Roles*, such as Agent, Patient, Experiencer, etc., that verbs assign to arguments” (Reisinger *et al.*, 2015, p. 476). The system uses the morphological and syntactical categories of the words in the input sentence to assign the case roles of: Agent, Event, Object, Experiencer, Instrument, Location, Time, Attribute. Figure 1 shows the spaCy output in the form of a table.

Identifying semantic Events

Tesnière considered the sentence a “little drama”, where meaning is derived from the verb. The drama metaphor implies “actants” or participants who initiate action and are affected by said action (Tesnière, Osborne, and Kahane, 2015). The “actants” are roles that enable action to be performed. The system establishes meaning in a sentence by identifying the actors and their roles related to the verb in accordance with Tesnière.

The semantic role of Event is applied to words the parser determines are morphological verbs. As seen in Figure 1, the word “needs” is parsed morphologically as “VBZ” (Verb third-person singular) and is assigned the role of Event. The word “negotiated” is parsed morphologically as “VBN” (Verb Past Participles) and is assigned to the role of Event. The word “sitting” is parsed morphologically as “VBG” (verb gerund) and is assigned the role of Event.

Identifying semantic Events related to other Events

According to Figure 1, pointer 5 of the verb “negotiated”, leads to index 5 of the verb “needs.” The index-pointer chain indicates that the verb “needs” is related to the verb “negotiated” through the relationship “xcomp” (external complement). Pointer 8 of the verb “sitting” leads to index 8 of the verb “negotiated”, via the relationship “advcl” (adverbial complement).

Identifying the Agent

According to Fillmore, the Agent is “the case of the typically animate perceived instigator of the action identified by the verb” (Fillmore, Bach, and Harms, 1968, p. 46). Human Agents are assumed to act intentionally (Kittilä and Zúñiga, 2010, p. 528). Although Fillmore acknowledges that “‘inanimate’ nouns like robot or ‘human institution like nation’ might be assigned to the role of Agents, he assumes that “for all Agents that they are ‘animate.’” (Fillmore, Bach, and Harms, 1968, p. 46). Other researches consider that “inanimate Agents are also allowed” (Kittilä and Zúñiga, 2010, p. 14). Even natural disasters such as hurricanes can be considered Agents and are named “natural force agents” (Nilsen, 1973). The semantic role of Agent can be expressed syntactically as a subject. Transitive verbs support the view that “there is no known language in which the Agent of such verbs does not appear in subject position” (Rissman, 2013, p. 7). Using the syntactic information provided by the parser, the automatic identification of the semantic Agent is achieved with a rule which states: If the noun is a “nsubj” (nominal subject), then assign the semantic role of Agent.

According to Figure 2, in the sentence “ Hamas fires rockets causing harm to Israeli civilians”, the proper noun “ Hamas” has been identified as the “ nsubj” (nominal subject) for the verb “ fires”, which determines the system to assign “ Hamas” the role of Agent of the Event “ fires.”

Identifying the Experiencer

In accordance with Kittilä’s definition, the system considers the Experiencer a macro-role comprising several sub-roles; Dative, Recipient, Beneficiary, and Maleficiary (Kittilä and Zúñiga, 2010, p. 5).

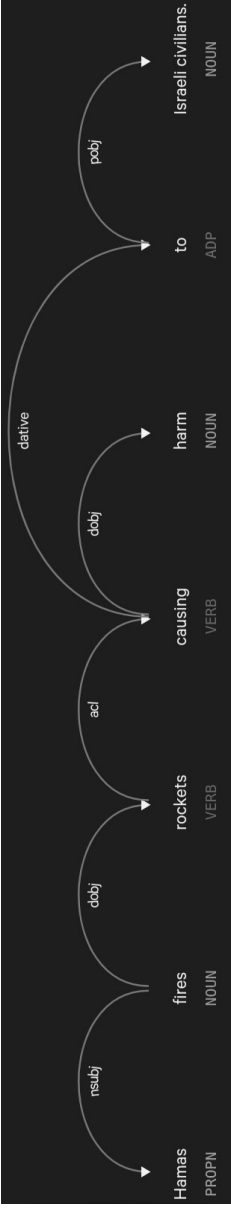


Figure 2. Illustration of spaCy output

Experiencer as Dative

According to Fillmore, the Dative is “the case of the animate being affected by the state or action identified by the verb” (Fillmore, Bach, and Harms, 1968, p. 46). The dative is a syntactic construction which is “most frequently used cross-linguistically to encode beneficiaries” (Kittilä and Zúñiga, 2010, p. 7). Figures 2 and 3 indicate examples of Experiencers parsed as Dative; the Israeli ambassador and the Palestinian delegate are representative of the Experience (Recipient) role, as they are the receivers of a letter.

Experiencer as Beneficiary

The Beneficiary is favorably “affected by an Event and is typically animated” (Kittilä and Zúñiga, 2010, p. 2). The Benefactive is a participant in a benefactive verb such as “favor”, “boost”, “help”, “profit”, “gain”, exemplified in the article titled “Israeli Arabs, Too, Benefited From the Balfour Declaration” (haaretz.com, 2019). When an Agent carries out an action which is “good for the beneficiary”, the linguistic construction is considered as “Agentive benefactive” as “X does something for someone (X/Y)” (Smith, 2010).

Experiencer as Maleficiary

Beneficiaries are the Experiencers of beneficial Events, the Maleficiaries are Experiencers of adverse Events (Kittilä and Zúñiga, 2010, p. 5). This definition is implemented by the system to determine sentiment valence.

Prepositions introducing the Experiencer

Langacker considers that the indirect Object “... is characterized as an active experiencer in the target domain” (Langacker, 1991, pp. 327-328). Sophisticated parsers such as spaCy can identify the Experiencer as a dative when the preposition “to” appears in the text as shown in Figure 3.

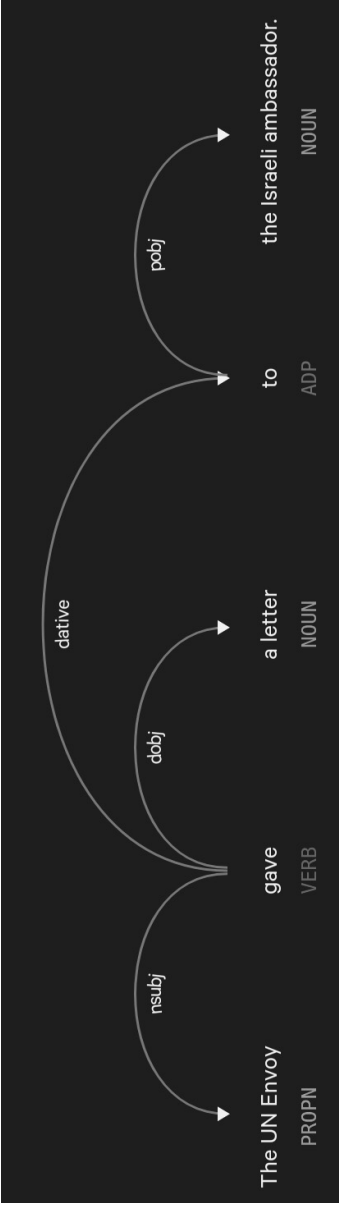


Figure 3. Illustration of spaCy output

SpaCy can identify an Experiencer as dative even when the Experiencer is not preceded by the preposition “to” and could be misleadingly parsed as a direct object.

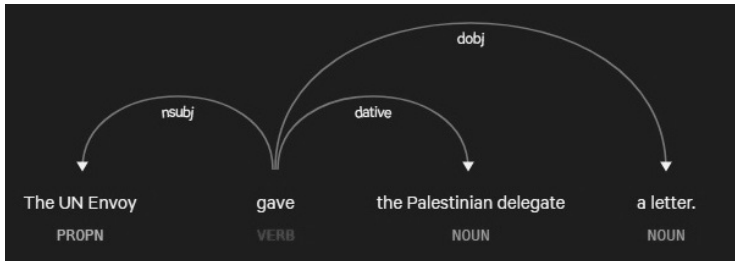


Figure 4. Illustration of spaCy output

In the reference sentence of Figure 1, there is no word having the syntactic relationship of indirect Object linked to the verb “negotiate.” The system relies on the preposition “with” to identify an Experiencer of the Event “negotiate.” The preposition “with” establishes the link between the verb “negotiated” and the nouns Israel and Palestinians. According to the Preposition Project database, the semantic label for the preposition “with” is defined as “tandem” implying “a relationship between two persons or things involving cooperative action, mutual dependence, etc.” (“Preposition Project”, 2007).

At index 12, pointer 8 of the preposition “with” establishes the role of Experiencer for the noun Palestinians at index 14. Pointer 8 of index 9 shows that the preposition “with” establishes the role of Experiencer for the noun Israel at index 10. The cooperative action in the reference sentence of Figure 1, occurs in the Event “negotiate”, where an implied entity “Person”, participates as an Agent, alongside “Israel” and “Palestinians” who participate as Experiencers. The system identifies the semantic Experiencer using the following rule: If the preposition “with” relates a verb to a noun representing a human, then the noun plays the role of Experiencer for the verb.

Identifying the Object

A semantic Object is defined as “things which are affected by the action or state identified by the verb” (Fillmore, Bach, and Harms, 1968, p. 46). The semantic role of Object (also known as Patient) is an argument of the verb “which undergoes the change of state or is being affected by the action” (Bonial and Hwang, 2012). This change of state can be found in the news headline “Israeli forces demolish house of suspect accused of killing soldier.” The Agent in the headline is “Israeli forces”, and “house” is the semantic Object whose state changed (“Israeli forces demolish house of suspect accused of killing soldier”, 2018). The semantic role of Object “... is expressed syntactically as a direct Object of the verb” (Mayo, 1999, p. 123). In Figure 2, the noun “rockets” has been identified as the “dobj” (direct Object) of the verb “fires” and is assigned to the semantic role Object. The noun “harm” which is a “dobj” (direct Object) of the verb “causes” is assigned the role of Object.

In the example sentence of Figure 5, the parser can identify the “dobj” (direct Object) “Hamas”, which is assigned the semantic role of Object by the system’s transformational rules. The parser can identify an Object even if the noun subject of the verb is in passive voice. The sentence taken from the news article “Two Israeli soldiers have been shot dead by a Palestinian ...” provides an example (“Two Israelis killed amid spate of attacks”, 2018).

According to Figure 6, the verb “shot” is in the passive voice (auxpass) and the noun “Israeli soldiers” is parsed as a passive nominal subject (nsubjpass). The preposition “by” links the verb “shot” to the passive nominal subject “Israeli soldiers”, which is assigned the role of Object by the system. The noun “Palestinians” introduced by the preposition “by” is parsed as the Agent. The semantic network for the sentence in Figure 6 is Agent: Palestinian, Event: shot, Object: Israeli soldiers.

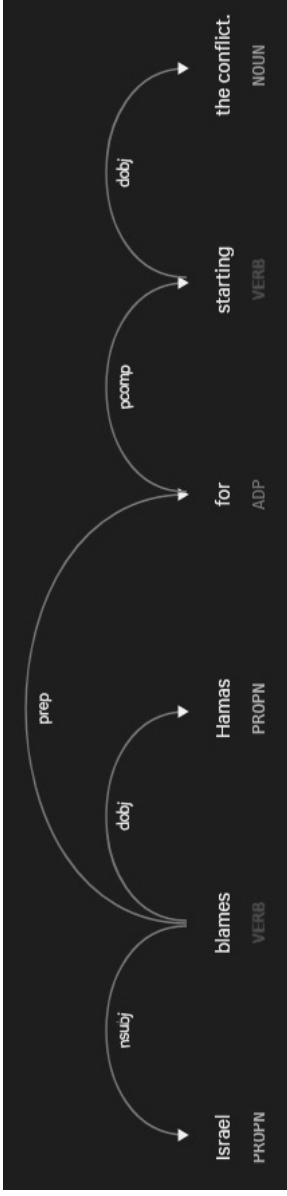


Figure 5. Illustration of spaCy output

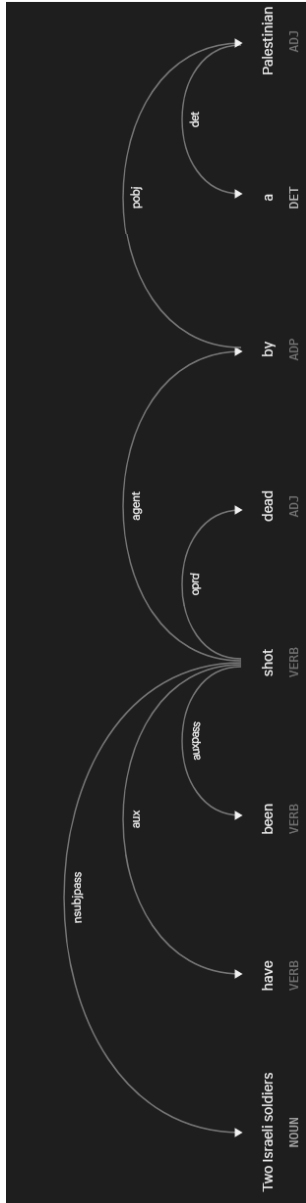


Figure 6. Illustration of spaCy output

Identifying the Instrument

The role of Instrument can be fulfilled by entities or Events. The Instrument is introduced by the preposition “with” (Fillmore, Bach, and Harms, 1968, p. 43) such as in the sentence “Shortly after 1:30 p.m., the stabber attacked the Israeli soldier, a 30-year-old reservist, with a knife” (“Reservist moderately injured in stabbing attack outside West Bank army base”, 2018). The Instrumental role is also introduced by the “use-Instrument” construct (Rissman, 2013, p. 30), as exemplified in the news article sentence “Since Boston bombing, terrorists are using new social media to inspire potential attackers” (Bloom, 2018).

According to Rissman (2013), Instrumental sentences “... express the goals of the Agent and how the Instrument serves these goals” (p. 56) and reveals the “... relationship between the Agent, the Instrument, and the Event...” (p. 74). In the news article headline, the “UAE used Israeli software to spy on Saudi Arabia, Qatar”, the Instrumental Event “UAE used Israeli software” and the target (goal) Event “spy on Saudi Arabia, Qatar” are introduced by the preposition “to” (“UAE used Israeli spyware to gather intel on Qatari royals, lawsuits claim”, 2018). Modal constructions “can express goal-oriented modality with (quasi-)universal force such as *need to*, *must*, *ought to*, and *should*” (Fintel and Iatridou, 2007). The modal verb “need” corresponds to the required Event, which is defined as a “required situation to achieve a Purpose” (FrameNet, 2018). The required Event represents the Instrumental Event, which will achieve the desired goal, becoming a solution to the implied problem.

In the news headline “Peace negotiations have been ongoing between the Syrian government and the opposition [*the Instrumental Event*] in order to achieve a military ceasefire [*the designated goal*]” (“Syria’s civil war explained from the beginning”, 2018). The infinitival clause represents the designated goal, while the clause introducing the

infinitival clause represents the Instrumental Event (Rissman, 2013, p. 51). According to Figure 1, the infinitival clause “to be negotiated” represents the designated goal on the future of Israel; where “Israel and Palestinians sitting side by side in negotiations” represents the Instrumental Event.

Framing functions

The system can automatically identify the framing functions present in text by assigning semantic roles to words. Semantic roles are the building blocks of framing functions which are identified through syntax and automated semantic analysis.

The problem definition framing function

Entman’s specific definition of causal agent corresponds to the general linguistic concept of semantic role of Agent as defined by Fillmore and developed by his followers. In keeping with Entman’s causal agent, Nishimura states that “... the prototypical agent constitutes the most salient instance of cause (i.e., the most readily observable cause) (Geiger and Rudzka-Ostyn, 1993, p. 504). Entman’s “causal Agent” is equated by DeLancey (1984) due to “a single cause from which an unbroken chain of control leads to the effect” (p. 207). Dowty (1991) considers the Agent as “causing an Event or change of state in another participant” (p. 572).

Entman’s definition of “what a causal Agent is doing” refers to a semantic Event in which the Agent acts upon a participant (Experiencer or Object) having a problem. Since the Agent causes a “problematic effect”, it is an essential component of Entman’s problem definition framing function. The problem definition framing function is composed of an Event and its associated roles: Agent, Object, Experiencer, Instrument. The system processes the sentence from the media coverage of the Gaza War (2008–2009) as analyzed by

Atteveldt in the following example: “ Hamas fires rockets and causes harm to Israeli civilians ” (van Atteveldt, Sheaffer, and Shenhav, 2016).

Figure 7 shows the morphological and syntactical information provided by the parser, allowing the system to identify the semantic roles. The proper noun “ Hamas ” is the Agent due to its being a “ nsubj ” (noun subject). The verb “ fires ” is identified as the Event, and the “ dobj ” (direct object) “ rockets ” is assigned the role of semantic Object. In the second clause, the semantic Event is assigned to the verb “ causes ”, and the “ dobj ” (direct object) “ harm ” is assigned the semantic role of Object. The Experiencer role is assigned to “ Israeli civilians ”, due to the fact that the two nouns are related as a dative to the verb “ causes ” via the preposition “ to. ”

For a computer program, the morphological and syntactical information provided by the parser regarding the verbal expression “ causes harm ” is insufficient to identify the problem of the “ Israeli ” civilians due to the word “ problem ” being absent from the text.

Looking up the word “ harm ” in the Harvard General Inquirer (“ Inquirer Home Page ”, 2019), the system finds the definition of “ danger ” as a “ Threat or state of exposure to harms ” and has a negative sentiment valence. The system defines the verb “ causes ”, as “ To cause to come into being, to happen, to bring about ”, which is the definition for a Good/For type of Event (Deng and Wiebe, 2014).

The system uses the definition data to apply Deng and Weibe’s implicature rule no. 2.2 as follows: IF the sentiment on Object “ harm ” is negative, and the type of the Event “ causes ” is “ Good/For ” then the sentiment on the Event “ causes ” is negative. Rule 3.2 will infer the sentiment on the Agent “ Hamas ” as follows: If the sentiment on the Event “ causes ” is negative, and the type of the verb “ causes ” is Good/For, then the sentiment on the Agent “ Hamas ” is negative. Rule 1.2 infers the sentiment on “ Israeli Civilians ” as follows: If type of

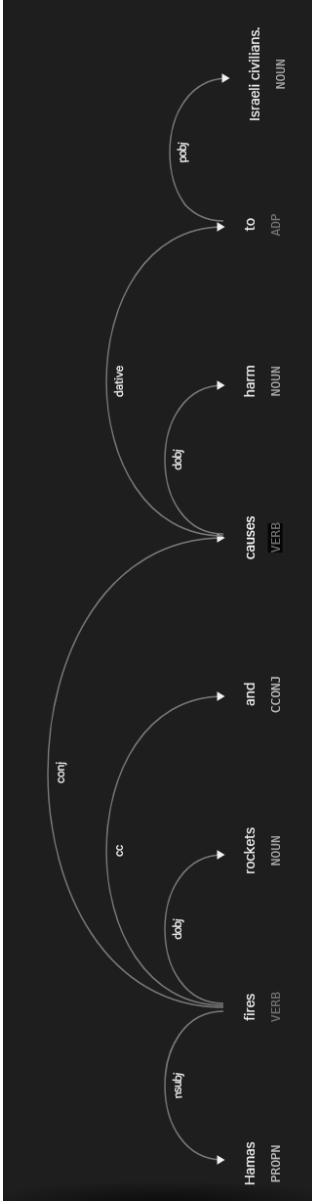


Figure 7. Illustration of spaCy output

the Event “causes” is Good/For and the sentiment on the verb “causes” is negative then the sentiment on the Experiencer “Israeli civilians” is negative.

The negative sentiment valence indicates to the system that “fire” is a malefactive Event which adversely affects the Experiencer “Israeli civilians.” The system assigns the sub-role of Maleficiary, which is defined as someone who “is in an undesirable Situation” (FrameNet, 2018). The “Israeli civilians” is a Maleficiary in an “undesirable situation”, and the system identifies Entman’s problem definition framing function in the sentence of Figure 7.

Diagnose causes framing function

Causation is defined as “an Actor, a participant of a Cause, [that] may stand in for the Cause” (FrameNet, 2019). This definition aligns itself with Entman’s formulation of the diagnose causes framing function. We can reformulate Entman’s framing function “*diagnose causes*” as a semantic Agent initiating an Event.

In his example, “Saudi Arabia’s responsibility for terrorism” (Entman, 2003, p. 425), Entman includes the aspect of responsibility in the definition of the diagnose causes framing function. Entman’s formulation of the “attribution of responsibility” corresponds to the FrameNet definition of the frame “responsibility”, as indicated by the following definition: “An Agent is responsible for having intentionally performed an Act or for being the or a primary instigator behind the Act. There is often a sense of negative evaluation of the Agent for having done so” (FrameNet, 2019).

While framing researchers have neglected to assign responsibility to the universal semantic role of Agent, linguistics scholars have realized the importance. According to Nishimura “... the new conception of Agent crucially involving the notion of responsibility” (Geiger and Rudzka-

Ostyn, 1993, p. 515) is a definition of Agent implemented by the system. For Nishimura, “The Agents are unmistakably looked on as responsible for their actions” (p. 515), and “It is intuitively clear that seeking the bearer of the responsibility for an Event is one notable way of trying to identify the cause of the Event” (pp. 518-519).

Van Atteveldt analyzed “the framing at the level of framing functions rather than of the whole frame.” He adds the “attribution of responsibility” (van Atteveldt, Sheaffer, and Shenhav, 2016, p. 3) element to the “diagnose causes-identify the forces creating the problem” framing function (Entman, 1993, p. 52). Shown in Figure 8, the verb “starting” has no “nsubj” relationship linked to a noun and the system will extrapolate the “Missing Agent” from the preceding verb “blames”, where “Hamas” is an Object. Therefore, in the first clause “Hamas” is an Object, while in the second clause “Hamas” is an Agent. In this way, the system determines that the Object of Israel’s blame, “Hamas”, equates to the Agent of the Event “starting the conflict.”

According to the Harvard General Inquirer, the verb “blame” means “to hold responsible” and is synonymous with “condemn” a verb which takes a “*for-PP (prepositional phrase)* representing the cause or the reason” (Wechsler, 1994). Considering the lexical-semantic information relative to the verb “blame”, the system can identify the attribution of responsibility framing function in the political statement of the sentence shown in Figure 8.

The Moral evaluation Framing function

Entman’s defines the moral evaluation framing function as making “moral judgments” and to “evaluate causal Agents and their effects.” The moral judgment is directed toward the “causal agent” which corresponds to the semantic role of Agent. The moral evaluation framing function has been

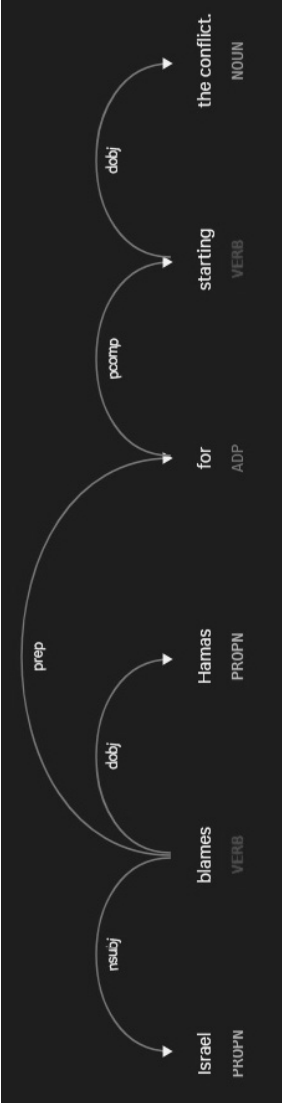


Figure 8. Illustration of spaCy output.

operationalized in terms of positive or negative evaluations (Donk, Metag, Kohring, and Marcinkowski, 2012), which correspond to positive or negative sentiments valences inferred by sentiment analysis.

The moral action is composed of “... a moral Agent characterized by agency...” (Gray, Young, and Waytz, 2012, p. 103). This definition advanced by Gray corresponds to the semantic role of Agent.

According to Jones, a moral sentence which is Agent-focused is composed of a moral Agent, a moral action, and a moral Patient (Jones, p. 7). This definition corresponds to the semantic roles of Agent, Event, Object, and Experiencer. Jones distinguishes Prescriptive and Proscriptive Moral Frames for which he compiled a dictionary using a typology of moral verbs such as “positive-proscriptive, negative-proscriptive, positive-prescriptive, and negative-prescriptive” (Jones, 2015, p. 11).

An example of a negative-prescriptive moral evaluation function

The system extrapolates from the negative prescriptive moral frame, Entman’s moral evaluation framing function. According to Jones, in the negative prescriptive moral evaluation, the Agent is the prescriptive moral villain who is “*guilty of taking away something deserved by the Patient or neglecting to attend to its needs*” (Jones, 2015, p. 8).

Regarding Trump’s declaration from December 6th, 2017, the Foreign Ministry of Syria issued the following statement: “... *A dangerous initiative... that clearly exemplifies the United States contempt for international law*” (“From Far East to Vatican, leaders sound alarm over US Jerusalem recognition”, 2017).

In terms of programming, the operationalization of Entman’s framing functions is achieved by inference rules applied on the semantic roles identified in the sentence, on

the sentiment valence assigned to these semantic roles, and on the words evoking a certain frame.

The list of words which indicate the presence of the negative-prescriptive moral evaluation compiled by Jones may be expanded with their synonyms. For example, the word “disregard” is synonymous with “contempt.” The context to which the Syrian Foreign Minister refers to is international law. The word “contempt” might acquire a legal meaning as explained in the following definition: “Contempt of court is defined as being any willful disobedience to, or disregard of, a court order” (“Contempt of Court: Everything You Need to Know”, 2019).

The system will apply the following rules:

Rule FR-01:

IF the sentiment on the Agent “United States” is *negative*
and

the sentiment on the Event “(hold in) contempt” is *negative*
and

the Event “(hold in) contempt” is on the negative-prescriptive
list

and

the sentiment on Object “law” is *positive*.

THEN the semantic network contains a negative-prescriptive moral evaluation of the Agent United States.

The system determined that the Syrian Minister considered the United States the Agent; the prescriptive moral villain responsible for the “dangerous initiative.”

The remedy/treatment recommendation framing function

Entman (2003) emphasizes the interconnection between the four framing functions, especially the problem definition and treatment recommendation. In his definition, “The two most important of these functions are the problem definition, since defining the problem often virtually predetermines

the rest of the frame, and the remedy, because it promotes support of (or opposition to) actual government action” (pp. 417-418). Entman gives the following example referring to the September 11th terrorist attacks: “the remedy quickly became war against the perpetrators” (p. 417). The remedy refers to the problem affecting the Experiencer and/or Object of the Event war.

Entman’s function named “remedy” is present in the text. Running the sentence through the spaCy parser, the system determines that the function named “remedy” is linked to “war” through the verb “became.” The “becoming” frame is defined in FrameNet as “The Entity [*the remedy*] which undergoes a change, newly ending up in the Final_category [*war*] or taking on a new Final_quality” (FrameNet, 2019). Where “final_category” and “final_state” refer to the ending state of the entity in question. The verb “becoming” establishes the identity between “remedy” and “war”, allowing the system to identify the remedy framing function as being “war.”

In his analysis of international conflict, van Atteveldt divided Entman’s solution-remedy framing function into two sub-functions named goals and means (van Atteveldt, Sheaffer, and Shenhav, 2008, p. 3). The system assigns the semantic role of Event to the verb “negotiate.” According to Figure 1, the United Nations representative believes that the solution for the future of Jerusalem is found through negotiations.

In the political statement of Figure 1, the expression of goal-oriented modality “The future of Jerusalem needs” is followed by an infinitival clause “to be negotiated with Israel, with Palestinians” which specifies a designated goal Event. For the aforementioned goal Event, the clause “sitting side by side directly in negotiations” is indicative of Rissman’s “Instrumental Event.” Having identified the goal and the means sub-functions, the system identified the treatment recommendation framing function in the input political statement of Figure 1.

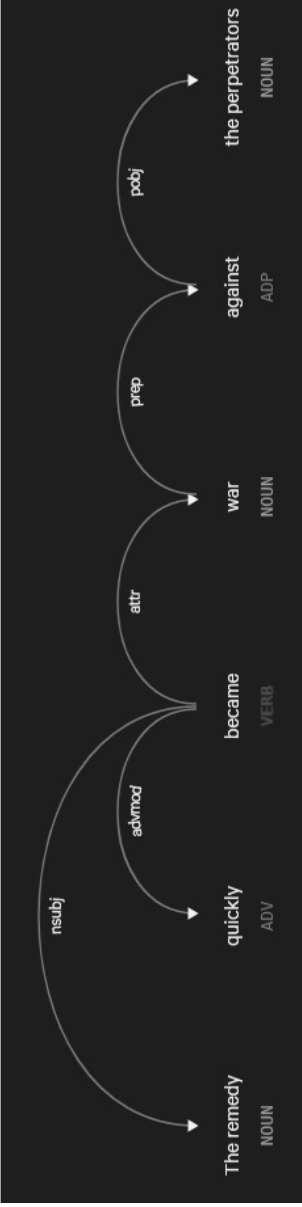


Figure 9. Illustration of spaCy output

Computer implementation

Shown in Figure 1, the spaCy parser provides the morpho-syntactical information necessary for the transformation of the input sentence into a semantic network. However, the table format is not suitable for storing sentences which are in fact strings of words. Encoding information in strings is fast and concise. However, the meaning of an encoded string is not evident and the user must know the significance of each group of digits in the string.

String processing functions are present in every programming language, and web applications or Google searches cannot execute without string pattern matching. Even DNA, the “code of life”, is represented by strings (Limbachiya, Rao, and Gupta, 2016) where researchers seek meaningful sequencing. A string is meaningful only if the user knows how to parse it, and how to identify the relevant sequences in a series of digits.

In order to use the advantages of string processing, the system transforms the VFP table in Figure 1, into a string by concatenating all rows which will represent the input sentence. The length in digits of the table fields is preserved in the string and the system determines the significance of each group of digits.

The VFP programming language is known for its efficiency for string processing. The string allows more efficient processing of the index-pointer chains between words and an efficient use of rules to identify the semantic roles. For instance, in the string sequences below, the digits 08 following the VERB “negotiated” representing index 8 of the verb match digits 08 of the preposition “with.” The digits 09 representing the index of the preposition “with” match digits 09, representing the pointer of the noun “Israel.”

To transform the syntactic relationship between “negotiated” and “Israel” into a semantic network, the system applies the following rule: If the preposition “with” relates a

negotiated	08	05	VERB	VBN	xcomp	with	09	08
ADP	IN	prep	Israel	10	09	PROPN	NNP	pobj

Figure 10. The syntactic string

verb to a noun then the Verb is the Event and the noun is the Experiencer. The system will encode the inferred semantic information into the semantic string containing predefined sequences for each semantic role to be identified. All semantic roles have 15-digit intervals reserved in the string.

The system determines that the group of digits reserved for the Agent the Event “negotiated” is empty, and therefore it must search for the missing Agent, which may be extrapolated from another verb. Scanning the complete sentence string (not shown here), the system finds that pointer 5 matches index 5 of the verb “needs” and that the syntactic relationship of “negotiate” is of xcomp (external complement) of “needs.” Since the verb “needs” has an Agent, the system infers that the Agent of “negotiate” is implicit, and assigns a wildcard named “Person” as the missing Agent which is inserted in the digit group reserved for the Agent (Figure 1).

The system has to determine the sentiment valences of the words assigned to various semantic roles. Using the Lexicon, the system finds that the type of the Event “negotiated” is “Good/For” and the associated sentiment is “positive” as shown in Figure 11.

Applying Rule 3.1, the system will infer the sentiment of the Agent “Person” using the following rule: IF the Event type of the verb “negotiated” and the sentiment on verb “negotiated” is positive THEN the sentiment on Agent “Person” is positive (Figure 11).

Applying Deng and Wiebe’s Rule 1.1 adapted to Experiencers, the system determines the sentiment on the Experiencers “Israel” and “Palestinians”, (which relates to the verb “negotiate”) using the following rule: If the type of Event

“negotiated” is “Good/For” and the sentiment on the verb “negotiated” is “positive”, then the Experiencer is positive. The final result of applying the above rules is displayed in the figure below.

Negotiated	needs	Good/For	positive	Person	positive	Israel	positive
------------	-------	----------	----------	--------	----------	--------	----------

Figure 11. The semantic string

The system determines that in the string digits reserved for the Agent of the verb “sitting” are blank. Therefore, the system must search for the missing Agent. Pointer 8 of the verb “sitting” leads to index 8 of the verb “negotiate.” This means that Israel and Palestinians are Experiencers of the Event negotiated, and are also the Agents for the Event “sitting.” The system has found in the lexicon that the type of the Event “sitting” is “Good/For” and the sentiment on the verb is “positive.”

Using the Lexicon, the system determines that the verb “needs” is of type “Good/For” and has a negative sentiment valence due to “needs” indicating a lack of something. The system applies Rule 3.2 which states: If the type of the Event “needs” is “Good/For” and the sentiment on the Event “needs” is “negative” then the sentiment on the Agent “Future” is “negative” (Deng and Wiebe, 2014). The system determines that the Agent “Future” is in a negative state and therefore has a problem.

Inference rules have to “fire” in a certain order since the conclusion of one rule might become a premise for the next rule. Previous Artificial Intelligence strategies for prioritizing rule execution were developed using the Rete Algorithm (L. Forgy, 1982). In today’s computing, such algorithms for prioritizing rules are no longer necessary given the efficiency of pattern matching in string processing and speed of today’s processors.

Instead of a Rete Algorithm, the system uses the brute force of today’s computing power to execute all rules without

prioritizing them. By executing the same rules over the facts as many times as are inferences to be made, the inference engine will dynamically chain the rules ensuring that the conclusion of one rule becomes the premise of the next rule.

After determining the sentiment valences of the Events and their participants by using sentiment implicature rules (as defined by Deng and Weibe) the system identifies the framing functions in the input sentence representing the UN Envoy's political statement by applying the FR-01 rule which states: IF sentiment on the Event "needs" is "negative" and if the verb is a modal verb and if the sentiment on the Agent "future" is negative THEN the framing function problem definition is present in the input sentence.

To identify the goal sub-function the system applies the FR-02 rule which states: IF the sentiment on the Event "negotiated" is positive and if the Event is and Event-Object of the modal verb "needs" and if the sentiments on the Experiencers Israel and Palestinians are "positive" THEN the system identifies the goal remedy/solution sub-function in the input sentence.

To identify the means sub-function the system applies rule FR-03 which states: IF the Event "sitting" is gerund and If it has sentiment positive and if sentiment on the Agents Israel and Palestinians is positive and if the Event "sitting" is related to the Event "negotiated" as an adverbial clause and if the Event "negotiated" is a goal remedy/solution sub-function THEN the system identifies the means remedy/solution sub-function in the input sentence.

Strings are fast and efficient for encoding and processing syntactic and semantic structures underlying a sentence. However, querying and retrieving information stored in these strings cannot be done without complex programming. Furthermore, the semantic relationships in a network cannot be visualized. In addition, relational databases based on tables are not suitable for storing semantic networks. To circumvent

these problems the system uses GRAKAN.AI, a database suitable for storing and querying the semantic networks. The semantic information contained in the string representing the UN Envoy's political statement can be automatically coded into insert statements for the GRAKAN.AI database.

In the GRAKAN.AI knowledge graph, actors are entities which play semantic roles. The entity "person" is an actor which is assigned to the variable \$x4 which represents the role of Agent participating in the Event "negotiate" (Figure 12).

```
$x4 has name "person" isa actor has sentiment "positive";  
$x3 has name "Israel" isa actor has sentiment "positive";  
$z1 has name "Palestinians" isa actor has sentiment "positive";  
(agent: $x4, experiencer: $x3, experiencer: $z1) isa event has name  
"goodfor" has event-object "sitting" has sentiment "positive";
```

Figure 12. Defined entities and relationships

The system creates the GRAKAN.AI knowledge graph for semantic networks representing the political statement issued by the UN Middle East envoy which is shown in Appendix 1. Appendices 2 and 3 are graphs of the means and goals sub-functions. Appendix 4 is a graph representation of the problem definition framing function.

Conclusion

The operationalization of Entman's framing functions described in this article is an original approach that makes use of computational linguistic techniques. Using the syntactic information provided by a parser, the system applies transformational rules to extract semantic networks. Sentiment analysis is used to determine the sentiment valence of the extracted semantic roles which allows the automatic identification of framing function by using string computation. By using a knowledge graph to store the resulting semantic

networks researchers can query the networks. Further research is necessary to develop and extend the transformational rules which can extract the semantic networks from the input text.

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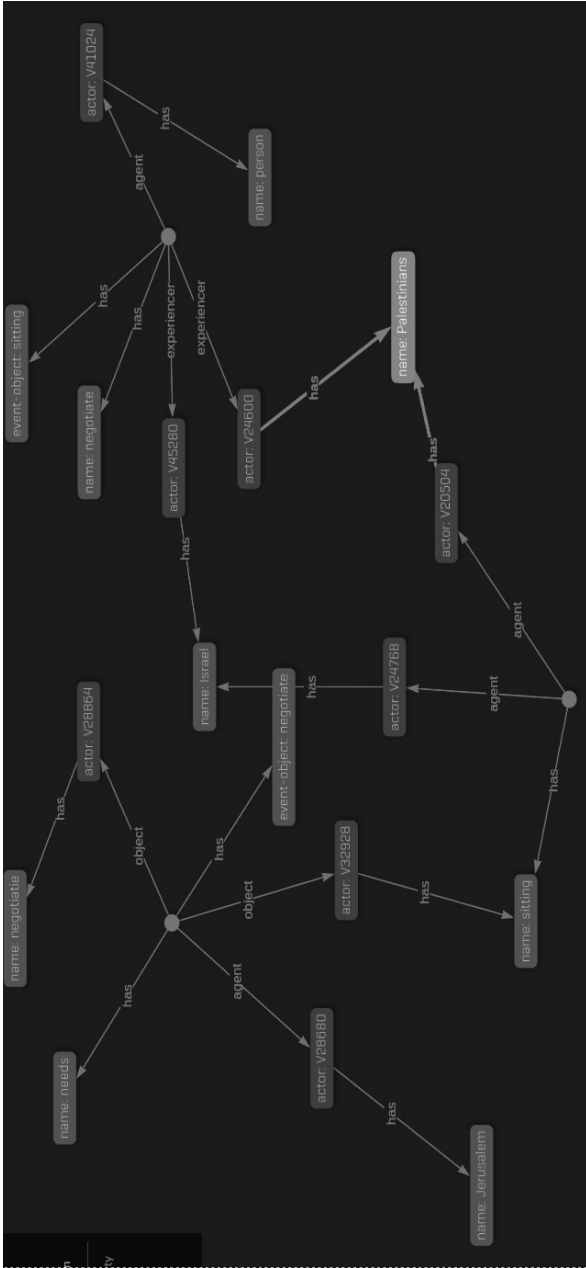
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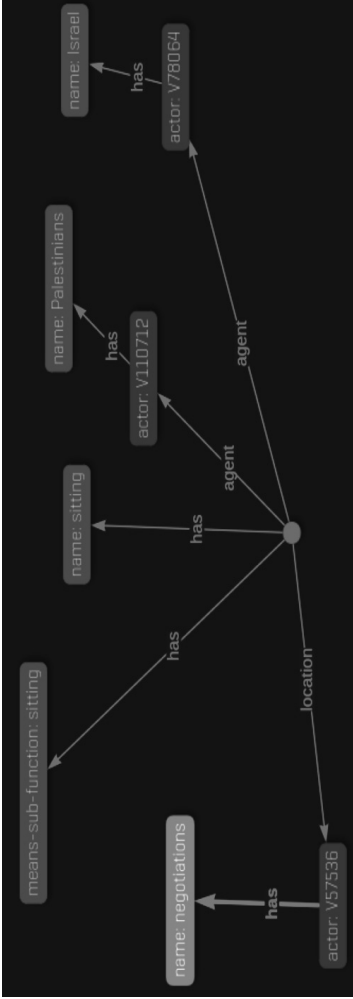
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Appendices

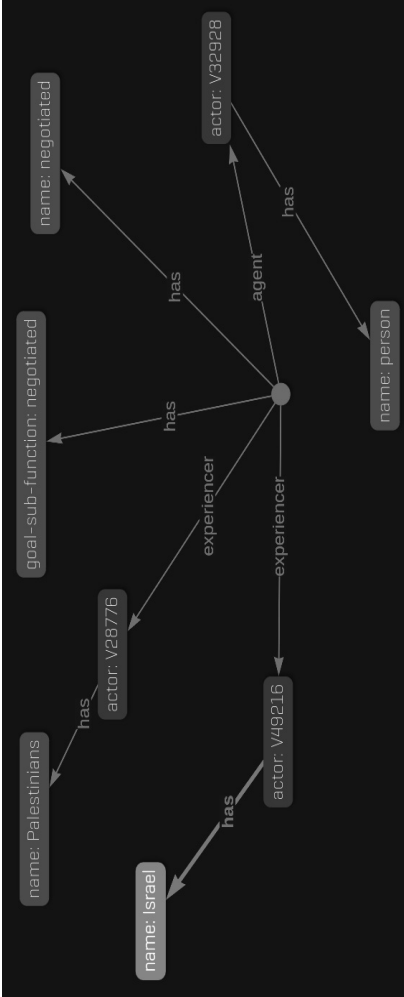
Appendix 1. GRAKAN.AI knowledge graph of UN Envoy political statement



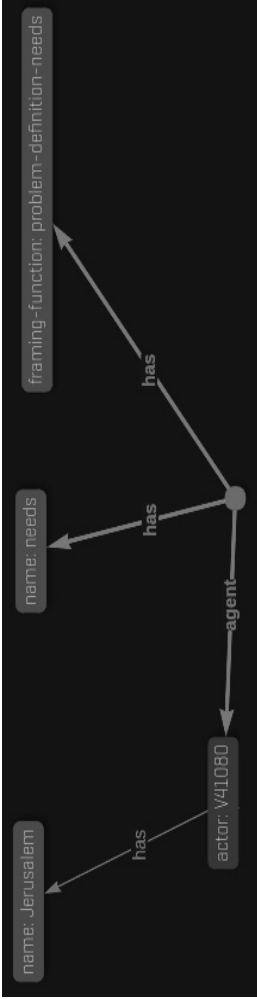
Appendix 2. GRAKAN.AI knowledge graph of the means sub-function



Appendix 3. GRAKAN.AI knowledge graph of goal sub-function



Appendix 4. GRAKAN.AI knowledge graph of problem definition framing function



GDPR and Website Compliance

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Abstract. The General Data Protection Regulation, known as GDPR, entered into force in May 2018. Since then, lots of companies were obliged to change their perspective on the issue of data protection in Europe. Although the fines and the public opinion regarding multinational companies became more and more pressuring, it is challenging to find the balance between compliance to the regulations and maintaining a functional business model. In the light of the first fines given by the European authorities, we begin to get a picture of what GDPR means, especially for the online platforms. Therefore, we analyzed two of the biggest low-cost airlines in Europe, WizzAir and Ryanair, their e-commerce platforms, in order to establish good and bad practices concerning the GDPR implementation. First, we identified the essential criteria which must be fulfilled in order to follow the rules of the GDPR, and then we applied these theoretical criteria to the websites, observing the personal data protection practices chosen by the companies. As a conclusion, we pointed out the excellent, sufficient, and questionable approaches of complying with the new regulation, focusing on privacy policies, online identifiers, and cookies.

Keywords: GDPR, personal data, data protection, cookies, WizzAir, Ryanair, online identifier, e-commerce.

Introduction

Nowadays, it is common to refer to the Internet of Things as a concept that embodies all devices connected to a large-scale network, which are mutually interacting and exchanging information. Through the development of machine-to-machine (M2M) and machine-to-people (M2P) communication, a new concept came to life: the Internet of Everything. In the two aforementioned systems, data is the most important asset, considered by some authors as a true economic asset (Drexler, 2019, p. 5; Helberger *et al.*, 2017, p. 3). As the European Consumer Commissioner Kuneva stated in a keynote speech ten years ago, “Personal data is the new oil of the internet and the new currency of the digital world” (Kuneva, 2009). Since the EU is one of the most important economic actors on a global level, with its legislative bodies ensuring beside other things the regulation of new technologies and their effects, it is not a surprise that the General Data Protection Regulation (GDPR) came as an answer for the rapid development of the internet and its dangers.

The GDPR¹ was accepted in 2016, but its entry into force was delayed until 25th of May 2018. Actually, it was not as revolutionary as we would presume it to be, based on the public’s reaction. On one hand, concerning the access to the public sector information, GDPR is not bringing new solutions to the table (Szalay, 2018). Furthermore, the EU already had a normative act with data protection in its scope, the Data Protection Directive². An instrument known for

1 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

2 Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

law harmonisation but also for member state enforcement, the Directive did not achieve its goal, and therefore the general compliance was low. In general, a regulation does not harmonise the law, but unifies it – therefore, the GDPR entered into force requiring no further member state action (although member states did have a possibility to accept national data protection rules (Wagner *et al.*, 2016, pp. 353-354), within some limits). That would be one of the main reasons why “GDPR” was the word of 2018 (“Year in a Word 2018: GDPR”, 2018). The other – seemingly more influential – is the fine in case of non-compliance, the fine which is at least an 8-figure one and which can be a worthy rival of anti-competition fines.

Through these means, the GDPR became “the most consequential regulatory development in information in a generation” (Hoofnagle *et al.*, 2019, p. 2). The system instituted under GDPR offers well-rounded protection regarding personal data, and imposes obligations on data controllers which in case of non-fulfillment can easily bring the data controller between a rock and a hard place. Also, since the territorial scope of the GDPR exceeds the frontiers of the EU, more often than not, every internet site that is collecting some kind of personally identifiable data, and which might be accessed by an EU citizen, can easily be in breach of GDPR. To prevent being fined, economic agents and website owners are acting prudently, and thus are on their way to (if not already achieved) compliance.

Or are they really walking that path? The paper aims to highlight a set of criteria which can be used to evaluate whether a website fulfils the main provisions of the GDPR. Furthermore, online identifiers, cookies in particular, are going to be examined as well. Through a practical analysis, potential problems such as the disclosure of personally identifiable information to third parties without the consent of the user, or the forceful acquisition of the natural person’s consent regarding certain cookies will be highlighted.

First of all, Article 8(2) of the Charter of Fundamental Rights of the European Union will be taken into account, which sets forth that “Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law.” We shall assume that in case we have measures contrary to this provision, we are in the presence of a breach. The other way around even the fundamental right behind the Regulation would not be taken into account, and as it is stated, *Ubi cessat ratio legis, cessat lex*.

Personal data – legal background

A key concept in GDPR compliance is personal data. Even though it is defined under Article 4(a) as: “any information relating to an identified or identifiable natural person (‘data subject’); (...) such as a name, an identification number, location data, an online identifier”, the definition still contains legal uncertainty (Drexler, 2019, p. 4), and is therefore able to create confusions. In lack of a more concrete definition we have to rely on the jurisprudence of the CJEU to determine the amount of data falling under Article 4(a). In the next paragraphs, certain types of data having major impact through the usage of websites will be introduced.

There is widespread consent that static IP addresses can be regarded as personal data. A rather interesting dispute was arising in *Breyer v Germany*³ regarding dynamic IP addresses. In his analysis, Attorney-General Sánchez Bordona stated that dynamic IP can be personal data if a known third party has any supplemental information through which the natural person can be identified. Based on the legislative framework, it can be stated that personal data means an amount of

3 Case C-582/14 *Breyer v Germany*, Opinion of AG Manuel Campus Sanchez-Bordona.

information which can be directly or indirectly identified with a natural person. In its decision, the Court of Justice found that “indirectly” means that “in order to treat information as personal data, it is not necessary that information alone allows the data subject to be identified.” Furthermore, the Court also found that “it is not required that all the information (...) must be in the hands of one person.”

Another disputed question is the case of email addresses. An email address, even though it is freely chosen and cannot be attributed to a natural person in all situations, its frequent usage in everyday life and its presence in legal acts (Petres, 2018, p. 5) means that in most cases, a natural person can be identified with it. Consequently, an email address can also fall under the scope of GDPR.

The main issue in connection with communication through the internet appears when smart devices exchange data (personal or non-personal) during the process. It is the classical version of M2M communication, which falls under the scope of the GDPR⁴, as stated by the Commission. If that data contains any personal data, such as a static IP address, or even a dynamic one, or if it is possible for the data controller to identify the natural person indirectly, corroborating the IP address with additional information, the controller needs the consent of the natural person.

As it is set forth by Article 6, lawfulness under the GDPR regarding a website can only exist, in the majority of cases, based on the consent of the data subject given for one or more specific purpose. Rarely, it can also be a contract, a legitimate interest, etc., but in the majority of cases it remains consensual. In Article 4 it is stated that consent is “any freely given, specific, informed and unambiguous indication of the

4 More on this topic in the Communication from the Commission of 11 January 2017—‘Building a European Data Economy’, COM(2017) 9 final, p. 13.

data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her." The data subject also has to consent if the controller transfers the personal data to a third party. The affirmative action has to be specific, which cannot be assumed to be taken involuntarily – that is going to be analyzed in-depth together with the practical evaluation.

Principles of personal data processing

Under Article 9, the GDPR institutes 9 principles regarding the processing of personal data. These principles have to be fulfilled in order to comply with the regulation. Since there is no clear definition for certain principles, their exact limits might be interpreted and determined by the case law and jurisprudence of the CJEU.

1. Principle of Lawfulness

The data processing should have a lawful basis, the method of the data processing should not be contrary to any legal norm, it should not be in breach of the GDPR, any relevant EU legislation, or any other relevant member state law. A lawful basis can be a legitimate interest in some cases, as declared in Recital 47 of the GDPR. Also, after a consent is obtained for a given purpose, in order to change the purpose of the processing, there is a non-exhaustive list of criteria to be fulfilled in Article 6(4).

2. Principle of Fairness

Personal data should be collected and processed in a fair way. The organization has the duty to inform the data subject about the processing, but that process cannot start without the enablement of the data subject. It was also taken into account how the result can affect individuals, and if any adverse impact happens, it is justifiable. The data is handled in a way which can reasonably be expected, or the controller can give further details regarding the unexpected process fairness.

3. Principle of Transparency

The purpose and scope of the operations is transparent, clear, informed, easy to understand, and concise. The communication with the data subject should be characterized in the same way. The controller should notify the data subject about the possibility of exercising its rights, and the means through these rights can be exercised.

4. Principle of Purpose Limitation

The purposes of the processing should be specified, explicit, legitimate, and limited. Further processing the personal data of the subject without specified consent is regarded as a violation of the GDPR, with the exception of archiving purposes in the public interest, scientific, or historical research purposes, or statistical purposes, according to Article 89(1).

5. Principle of Data Minimization

The personal data should be kept to a minimum extent from the point of view of relevance and adequacy, for the purpose of processing. The amount of data should be limited to the amount that is necessary. In case that a controller violates the fourth principle, purpose limitation, we can have a relative presumption that it is also in violation of data minimization, since most probably the stocked personal data is not adequate for every purpose.

6. Principle of Accuracy

The personal data kept need to be accurate and updated. There should be a controller side mechanism, which enables the rectification or deletion of the personal data, which is inaccurate from the perspective of the purpose.

7. Principle of Storage Limitation

The collected personal data should not be kept in a form that allows the identification of the data subject for a period longer than is needed for a given purpose of processing. The only exception is the case of the purposes presented above regarding the principle of purpose limitation.

8. Principle of Integrity and Confidentiality

The processing of data comes together with measures ensuring security, protecting against confidentiality breaches, accidental loss, damage, destruction, or unlawful processing. The controller should use appropriate technical measures and/or organizational measures, such as data protection by design and by default, instituted in Article 25 of the GDPR.

9. Principle of Accountability

This principle states that the data controller can be held liable for compliance with the above-mentioned principle, and the *onus probandi*, the burden of proof falls under the responsibility of the controller.

Online identifiers and cookies

Under Recital 30 of the GDPR there is a definition of the online identifier which is that set of personal or personally identifiable data which is “provided by their devices, applications, tools and protocols, such as internet protocol addresses, cookie identifiers or other identifiers such as radio frequency identification tags. This may leave traces which, in particular when combined with unique identifiers and other information received by the servers, may be used to create profiles of the natural persons and identify them.” If we take into account the current conditions, our online activity, from a holistic perspective, can be seen as a digital footprint: a footprint left by our IP address, by the tracking cookies in our devices, or any other activity by the data subject which was recorded by the server-side (Lodder *et al.*, 2018, p. 11).

Online identifiers are collected most of the times with the purpose of behavioral targeting. Behavioral targeting consists of the processes with the purpose of monitoring the online behavior of the people (Borgesius, 2015, p. 1). The collected information is thereafter used to show the data subject an individually targeted advertisement (*idem*). Until a given

point in time, behavioral targeting happened when a data subject was using a computer or a smart phone – but since the borders between online and offline are slowly disappearing, an advertising network can gather information through other means as well, such as: “ubiquitous computing, the Internet of Things, (...) ambient intelligence” (Borgesius, 2015, p. 5) or the Internet of Everything.

In a simple example, the data subject frequently visiting website X, the topic of which is traveling, through the monitoring activity of a third party which is an advertising network, can receive ads related to travelling, upon its visit of website Y. If another data subject, identified as a sport enthusiast, visits the same website at the same time, it might receive an ad related to a sport event, such as tickets offered for a given football match, or prescription for a channel broadcasting sports online.

One of the major versions of online identifiers are cookies. A cookie can be defined as “a small amount of data generated by a website and saved by [the data subject’s] web browser. Its purpose is to remember information about [the data subject], similar to a preference file created by a software application.”⁵ A cookie can be used to recover stateful information (such as an ongoing booking of an accommodation), or to record the user’s activity while browsing (for example which pages were visited by the user in which order, etc.).

Cookies can be divided into certain subcategories. The first subcategory contains cookies having the criteria of expiration date. Session cookies, as stated by Microsoft, are those cookies which are deleted when the user quits the web browser⁶. These do not have an expiration date assigned to them. Persistent

5 <https://techterms.com/definition/cookie>, last accessed on January 29, 2019.

6 According to the Microsoft Support Description of Persistent and Per-Session Cookies in Internet Explorer Article ID 223799, 2007.

cookies are those cookies which remain active either until a specific date, or through a specific length of time, sending the relevant gathered information continuously. That type of cookie remains in the computer storage even if the computer is turned off. Another subcategory of cookies has the criteria of the person transferring it to the data subject. From that point of view, we can talk about First-Person cookies, which are transferred directly by the website visited, and Third-Person cookies, which are transferred by a website other than the one which is being visited. Third-Party cookies which are monitoring the activity of data subjects around the web are called tracking cookies (Borgesius, 2016, p. 5).

To highlight the nature of the cookies, we can also distinguish between supercookies (the ones used in order to disrupt legitimate user requests to a given website, a website which has the same TLD), zombie cookies (cookies which are automatically recreated in case of deletion), etc.

Cookies are one of the major means of user profiling. We can differentiate between a predictive profile and an explicit profile. The latter is created from the personal data offered by the data subject, therefore in most of the cases we are going to have a clear consent. In case of the former, the profile is the result of observing user activity and collective user behavior by an artificial intelligence. In that case, the privacy of the personal data is not at all ensured, since most of the times the data subject does not know about the profiling process. Therefore, in that case B2C communication is crucial (La Diega, 2017, p. 62).

In order for a website to be in full compliance with the GDPR, it shall have an adequate cookie policy. If we corroborate the fact that online identifier and cookies can be regarded as personal data, and for the processing of such data the controller needs either consent from the data subject, or legitimate interest (see below). Visiting a website for the first time cannot be considered as a consent for data processing,

even if the website provides the data subject with information such as: “This website uses cookies. Click here for more information. If that’s okay with you, just keep browsing.” Consent will only be considered a legal one, if the action of the data subject is free.

Another arising problem is if browser settings in report with cookies can be interpreted as such affirmative action. De lege lata, we can state that there is no mention of these browser settings. On the other hand, the ePrivacy Regulation⁷ draft leads to the belief that in case of tracking cookies, a website should not inform the visitors about the use of cookies, if their web browser is activated manually to accept or refuse such cookies.

The data subject should give its consent specifically – therefore, it should know exactly what type of cookies it is going to use. There are cookies that are necessary for the functioning of a website. Consent cannot be refused in case of these cookies, or else the website cannot work properly anymore. The next category is cookies used for analytics – these are not mandatory for the functioning of the website, but without these it becomes hard to monitor the performance of a website. We can also identify third-person functioning cookies – such as in case of a website showing videos with the assistance of YouTube. These are also optional. The last type of cookies are advertising cookies, which are used with the purpose of behavioral targeting, as stated above. These cookies are also optional. It is really important to note that the functioning of a website cannot be conditioned to the acceptance of every cookie type, mainly advertising cookies. That would be considered as an unfair practice.

7 Proposal for a Regulation of the European Parliament and of the Council concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications).

Last but not least, even after the consent was given, and the type(s) of the accepted cookie(s) were established, the data subject should still have the possibility to opt-out, to revoke its consent anytime. The data subject shall be able to revoke its consent partially – regarding only some types of cookies. In case the website is not offering the possibility to choose from the types of cookies, but to accept all of them, or none, we have the same legal situation such as in the case of an adhesion contract. An adhesion contract or more widely known as a “take it or leave it” contract is a non-negotiable contract. It is highly questionable if these types of contract can be considered as fair practices in case of the GDPR, with the requirement for the consent to be specific and freely given. Since it is enforcing the data subject to give up a part of their privacy for the possibility to use a given website, it can be assumed to be unfair, else the legal premise stated in the introduction would be fulfilled (*Ubi cessat ratio...*).

A set of criteria for website evaluation

In developing criteria to evaluate to what extent a website is GDPR compliant, we need to take into account the possibility of the examiner to assess server-side elements. These elements (such as data protection by design and by default, or the fulfillment of the principle of storage limitation) can be checked more in detail in case of a Data Protection Impact Assessment, internal compliance analysis, or in case of an investigation initiated by the National Data Protection Authority, after a report from a data subject, or after a data breach.

Therefore, a first criteria when evaluating a website can be the fulfillment of Article 5(1) (a), the lawfulness, fairness, and transparency of the data processing. Under these criteria, the evaluator should consider the legality of the consent, the communication with the data subject in what the purpose of

the data processing is, and also fairness, which means that the processed data is obtained in a fair way, and the operations highlighted by the website do not have an adverse impact over the individuals. When analyzing transparency, it is important to take into account the message transmitted and its parity with the actual processing of the personal or personally identifiable data.

A second criterion that fulfills the above-mentioned criteria regarding observability can be purpose limitation. Through that, the examiner can interpret whether the data processor states clearly and specifically the purpose of the data processing, and also if that purpose is legitimate, if not illegal.

A third criterion regards data minimization. It can easily be inspected if the purpose of the data processing is in equality as in amount, status, and character of the different types of data collected by the website, from the data subject. If the amount of data collected does not exceed the scope of the purpose, the website is considered to be in compliance with the regulation. On the other hand, if the website records more data than needed to achieve the established purpose, it is presumable that the website is in breach.

A last criterion is the handling of online identifiers and cookies. Cookies can also be processed based on a legitimate interest, or the so-called balancing provision. The data controller can process the data if processing is necessary in respect of the legitimate interest of the controller, outside the case where such interest is counter-demanded by a fundamental right of the data subject. Such legitimate interest would be an application provider's personal data processing, in order to improve the application (Herberget *et al.*, 2017, p. 5). The evaluator should take into account if the data subject had the possibility to accept and reject the different types (some of them which are mentioned hereinabove) of cookies, or if the consent for the processing in case of cookies was

fulfilling the legal requirements. Also, in case of cookies, the any-time opt-out clause should be fulfilled.

In case all these criteria are implemented, we have a relative presumption that the website is in compliance with the regulation from the data subject's point of view, and we can only have deficiencies in the technological-organizational measures of data storing. While in other business fields than e-commerce the GDPR regulations can be easily or unnoticeably implemented, in the online area the new regulation will have a huge impact firstly on website design⁸. The online marketing activities are based on the data collection from the visitors, users, therefore they became severely limited by the GDPR. The companies with a strong e-commerce structure were the mostly affected and are mostly exposed to non-compliance due to business purposes.

The airfare pricing system often seems random, but actually the aviation industry mostly uses customer data in order to establish the price of the single flight tickets offered at a moment. According to consultant and former airline planning executive Robert W. Mann, the airline price tickets are “as much as the customer and market will bear”⁹. The unequivocal problem for the airlines will be the following question: If we hardly know the customers – because we can collect only few data from them according to data minimization – how do we figure out the price they “will bear”?

In a recent case related to customer data use policies for marketing and advertising purposes, Google was fined by the French data protection authority. Google made it too difficult for data subjects to access essential information in regard to

8 <https://www.hallaminternet.com/how-to-make-your-website-gdpr-compliant/>, last accessed on January 28, 2019.

9 His statement can be retrieved from <https://www.cnn.com/2018/08/03/how-do-airlines-price-seat-tickets.html>, last accessed on January 27, 2019.

data protection purposes, data storage periods, and categories of data used for advertisement personalization. The French authority stated that the economic model of the company was partially based on ads personalization and its outmost responsibility to comply with the GDPR.

The Google data handling and non-compliance is essential to have a comparison when analyzing the two of the biggest European low-cost airlines' data handling policies, because there is a big resemblance regarding the marketing and advertisement customization of these companies.

In order to establish the potential and actual data protection issues of companies using personal data for marketing and advertising purposes, we chose to present the WizzAir and Ryanair websites, focusing on the main criteria in the field of data protection mentioned above.

Case study

The study analyzes the website of two low-cost airlines with several destinations, mostly in Europe, and millions of passengers throughout a year. The focus is on the customer-user perspective, i.e. a consumer has the possibility to personalize their search and purchase on the internet in order to protect their personal data, in other words, to determine whether the analyzed website's personal data collection complies with the GDPR regulation.

The first website is WizzAir's¹⁰, which has the following stages in the acquisition process of a round-trip airplane ticket to any destination: (1) location (departure) specified in a pop-up window; and date specified on the main page; (2) e-mail (newsletter) subscription pop-up window with the option to cancel the offer (the company's 'Privacy Note' is mentioned,

¹⁰ The following URL address: <https://wizzair.com/>, last accessed on January 29, 2019.

with the link that takes the user to a subpage); (3) specifying the flight's destination; (4) the selection of the ticket (bundle), category (price and included services); (5) the personal data of the customer such as name and gender; (6) the selection of the baggage type (checked-in or cabin baggage); (7) the option to select the seat or not; (8) the option to select several travel services for an extra cost; (9) payment – billing details with further personal details to be completed (newsletter subscription pop-up window with the option to refuse the offer, also the 'Privacy Note' attached); (10) payment – payment options (bank account/card details); (11) checkbox with the "I accept the privacy notice and the general conditions" (which requires the marked option to finish the purchase) notification message; (12) the purchase confirmation – the effective payment.

In the evaluation of the acquisition process, the website fulfills the criteria of lawfulness, fairness, and transparency of the data processing. Through the analysis of the transmitted message and having processed the personal or personally identifiable data, it complies with the transparency principle.

The analyzed stages of the purchase/acquisition process, mostly those with the mention of the company's privacy policy (linked subpage) fulfill the second and the third criteria, that the processor states clearly and specifically the purpose of the data processing, which is in our case delivering a service, and the amount of collected data does not exceed its scope and purpose.

The handling of cookies as online identifiers requires a deeper analysis. First of all, the very initial stage, which is the loading of the page, features the appearance of the notification for 'Cookie Policy' with the following message "This site uses cookies to offer you better services. If you continue browsing on the Wizz Air website without changing your cookie settings, we'll assume that you consent to receiving all cookies on the Wizz Air website. You can change

your cookie settings at any time. Read our Cookie Policy to find out more!” That communication and transparency might be a promising step to fulfill the requirements of the Regulation. Moreover, the linked policy details within the notification ‘bubble’ supports the idea that the website had intentions to comply, and gives the evaluator an impression of fulfillment. The first and most important remark is that, when loading of the page, the cookie notification appears on the bottom of the page with a reduced chance to be noticed by the visitor (user), notification which lets the user purchase or navigate on the page without any cookie restriction. The legal requirements would only be fulfilled concerning the fourth criteria, if the user could accept and reject the different types of cookies, such as advertising cookies. Therefore, the detailed presentation of the used cookie types by the platform in the linked subpage, without the consent for the data processing, does not fulfill the GDPR regulation regarding cookies.

An additional and final remark would be the ‘redirection’ step to another website, namely a “partner’s website”, which is an accommodation booking platform (i.e., booking.com). Even if the user is not logged in to the airline website, the booking platform receives their personal data such as the travel destination’s name, the user’s IP address, and the period of time when the travel takes place. This action happens without any consent of the user regarding the transfer of personal data, and no pop-up window appears with notification regarding this matter. The assessment shows a clear deficiency in that matter, and a possible violation of the transparency criteria.

The second airline is Ryanair¹¹, with the following stages in the process of purchase/acquisition process: (1) location (departure), destination and date specifying at the main page; (2) the selection of the ticket (bundle) category (price

¹¹ The following URL address: <https://www.ryanair.com/>, last accessed on January 29, 2019.

and included services); (3) the selection of the baggage type (checked-in or cabin baggage); (4) the option to select or not the seat; (5) the option to select several travel service for extra cost; (6) the personal data of the customer, such as name and gender; (7) travel insurance for extra cost; (8) contact details and payment with the following notification message: “We need your contact details in order to important flight change information and booking confirmation.”; (9) checkbox with the following message: “Our subscribers get the best offers from Ryanair and Laudamotion via email, sms, push notifications, phone and post. If you don’t wish to receive these offers, please tick the box.”; (10) notification message (which requires the marked option to not to receive any newsletters); (11) payment method; billing address; (12) checkbox with “Terms and conditions...” notification (which requires the marked option to finish the purchase); (13) payment confirmation.

Step number 9 has a notification message that may be considered a relatively tricky one, because if the user does not read to the end of the message, it easily could be misunderstood. The checkbox without a checkmark means that the user will give the consent for receiving newsletters with marketing purpose. Technically, we can regard this solution as an opt-out – because the consent of the data subject is presumed, which is in clear breach of Article 6(4). If the data subject is not going to tick the box – and in that case we clearly do not have any affirmative action – it is going to have its personal data processed. In that case, the lack of consent is manifest.

If we set the above-mentioned problem aside, the website fulfills the criteria of the lawfulness, fairness, and transparency features of the data processing. As in the case of the first airline, the purchase/acquisition process of the second airline’s website fulfils the second and the third criteria, because the scope and the purpose are limited to the delivery of a service, while the collected amount of data can be regarded as necessary.

The cookie notification has the following message:

“We use cookies to give you the best experience on our website. By continuing to use our website without changing your cookie settings, you agree to our use of cookies in accordance with our updated Cookie Policy. We have also updated our Privacy Notice and the settings in your myRyanair account to reflect changes in data protection law. Please visit your myRyanair account if you wish to use these settings.”

The cookie handling on the second website has the same issues as in the case of the first one, more specifically, in the cookie notification message, which is much bigger and evidential, with the section “accept and reject the different types of cookies” missing. This criterion does not fulfill, in our perspective, the GDPR regulations regarding cookies.

We concluded that the two companies made essential steps in order to comply with the regulation. Regarding the theoretical criteria mentioned in the first section, we think that they are partially fulfilled. However, at this stage, one year after the enforcement of the regulation, it is hard to state if a data protection practice is objectively legal or not.

In order to draw a precise conclusion, the study of the CJUE case law and the practice of the national authorities and of the Commission is needed, which are not available at the moment, given the short time since the implementation of the GDPR.

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Analiză Politică a Realității Românești la 100 de Ani de la Marea Unire

Flaviu Călin RUS

Abstract. The main goal of the current article is to describe the vision of the author about the Romanian realities in the centenary year. These realities will be analyzed through the values and rules of political communication and political PR. This material is the radiography of the Romanian political reality in the year 2018, which was realized with important symbol vectors.

Introducere

Cel mai important eveniment pe care românii îl serbează la 1 decembrie 2018 este reprezentat de aniversarea a 100 de ani de existență a statului român și a țării denumită România. În urmă cu o sută de ani a fost un moment astral în care toate provinciile românești s-au unit sub denumirea de România, sub înțeleapta coordonare a unei clase politice de excepție având nume precum: Majestatea Sa Regele Ferdinand, Majestatea Sa Regina Maria, Iuliu Maniu și Ionel Brătianu, care au devenit emblematice. A fost un moment favorabil în care oameni de stat români au pus mai presus de interesele personale interesele neamului și țării și au creat premisele dezvoltării unitare pentru un stat nou care atunci s-a numit România și astăzi se numește tot România. Forma de organizare politico-administrativă s-a schimbat, atunci România s-a constituit ca și mo-

narhie constituțională, iar astăzi România este republică¹. Din punct de vedere teritorial, România este un stat relativ mare la nivel european ocupând poziția numărul 8 (UE fără Marea Britanie)². De asemenea, România are un teritoriu mai redus comparativ cu anul 1918, o parte a sa de atunci se află acum în componența Ucrainei³, iar o altă parte a sa de atunci este acum un stat independent denumit Republica Moldova⁴.

Din punctul de vedere al orânduiriilor politice, România a trecut de la regat și de la monarhie constituțională la republică, iar la rândul ei republica a trecut prin trei faze: în prima fază a fost Republica Populară Română⁵, în care partidul comunist român a devenit din ce în ce mai puternic, în faza a doua a fost Republica Socialistă România, moment în care partidul comunist român s-a consolidat, iar faza a 3-a s-a întâmplat după evenimentele din decembrie 1989 când România a pășit pe drumul democratizării și al pluralismului politic, iar clasa politică de atunci a hotărât că forma de guvernământ a României să fie tot republică⁶. Începând cu anul 2007 România a devenit membră a Uniunii Europene, iar actualmente tinde să se integreze în spațiul Schengen al UE. Multe aspecte ale

1 Constituția României, articolul 1, http://www.cdep.ro/pls/dic/site.page?den=act2_1&par1=1.

2 https://europa.eu/european-union/sites/europaeu/files/docs/body/eu_in_slides_ro.pdf.

3 România 1918 – Oameni, momente și imagini, <http://romania1918.eu/index.html>.

4 *Ibidem*, <http://romania1918.eu/index.html>.

5 Costel Grosu, România între 1918-1945, https://www.academia.edu/11606245/Romania_intre_1918-1945, 30 decembrie 1947, Abolirea Monarhiei și proclamarea Republicii Populare Române, <http://lupta.blogsport.eu/2017/12/30/30-decembrie-1947-abolirea-monarhiei-si-proclamarea-republicii-populare-romane-2/>, Republica Socialistă România – Constituția (1969), <https://lege5.ro/Gratuit/g44dgnzq/republica-socialista-romania-constitutia?dp=gq2denjxgi3ti>.

6 Constituția României, http://www.cdep.ro/pls/dic/site.page?den=act2_1&par1=1.

realității s-au modificat într-o perioadă de 100 de ani, de la demografie la obiceiuri, de la alimentație la modalități de exprimare, de la tehnică la mentalitate, dar au rămas constante și unele aspecte ale vieții, iar aici facem referire în special la cele două mari evenimente religioase ale fiecărui an: Sărbătoarea de Paști și Sărbătoarea de Crăciun. Evident că și în cazul acestor două evenimente mentalitatea populației s-a mercantilizat și s-a îndreptat mai mult spre o gândire de marketing, dar ritualurile religioase au rămas aceleași. Acest articol se va focaliza pe realitatea politică, mai precis, pe descrierea dimensiunii politice actuale a României și a zonelor influențate de politică sau aflate în imediata vecinătate a politicii.

Metodologie

Pentru realizarea acestui material am folosit paradigma analitico-descriptivă, iar ca metode efective de cercetare am folosit metoda observației și analiza de conținut. Parametrii luați spre analiză și evaluați în acest context descriptiv sunt: partidele politice, parlamentul, guvernul, situația internă – economică și socială și realitatea externă. Aceste analize vor fi urmate de anumite concluzii care rezultă în mod firesc în urma oricărui demers științific.

Partidele politice ale României în anul 2018:

Este greu să descriem toate partidele politice înregistrate în România, de aceea, în cele ce urmează, vom face câteva referiri la partidele politice care, din punctul nostru de vedere, au mai mare relevanță politică, chiar dacă sunt sau nu sunt momentan partide parlamentare.

PSD⁷ – este cel mai mare partid politic din România. PSD-ul actual are origini în FSN (Frontul Salvării Naționale), în

⁷ <https://www.psd.ro/>.

PDSR (partidul democrației sociale din România) cu mai mici influențe din partea partidului social democrat istoric condus după 1989 de Sergiu Cunescu. PSD este un partid social democrat, cu o ideologie de centru stânga, făcând parte din familia socialistă europeană, mai exact din Partidul Socialist European. În anul 2018 este partid parlamentar condus de președintele Liviu Dragnea.

PNL⁸ – este ca dimensiune al doilea partid politic din România. PNL este un partid istoric, fiind continuatorul Partidului Național Liberal, cea mai veche formațiune politică din România. PNL a trecut după 1989 prin mai multe scindări și fuziuni, ultima fuziune fiind cea cu PDL (partidul democrat liberal). PNL est un partid cu o ideologie de centru-dreapta și este afiliat la familia populară europeană, la PPE (Partidul Popular European). În anul 2018 este singurul partid istoric parlamentar din România, condus de președintele Ludovic Orban.

ALDE⁹ – este al treilea partid ca dimensiune din România. ALDE (Alianța Liberalilor și Democraților) s-a format prin fuziunea dintre Partidul Liberal Reformator și Partidul Conservator. Este un partid cu o ideologie mai mult de centru-dreapta având o doctrină liberală și este afiliat la partidul european ALDE (Alianța Liberalilor și Democraților pentru Europa). În anul 2018 este un partid parlamentar condus de președintele Călin Popescu Tăriceanu.

UDMR¹⁰ – este partidul minorității maghiare din România. Cel mai puternic partid minoritar din România. UDMR (Uniunea democrată maghiară din România) este o formațiune politică, din punctul nostru de vedere, mai aproape de ideologia de centru-dreapta și este o formațiune politică afiliată la PPE

8 <https://pnl.ro/>.

9 <http://alde.ro/>.

10 <http://www.udmr.ro/>.

(Partidul Popular European). În 2018 UDMR este un partid parlamentar condus de Kelemen Hunor.

USR¹¹ – este cel mai tânăr partid parlamentar din România. Este o formațiune politică a cărei ideologii este greu de definit, deoarece partidul cuprinde membri cu gândiri ideologice diferite. Prin urmare, nu putem încadra partidul într-una dintre ideologiile politice clasice, dar ca și poziționare politică, din punctul nostru de vedere, acoperă zona de centru. În 2018 este un partid parlamentar condus de Dan Barna.

PMP¹² – este un partid creat la inițiativa fostului Președinte al României Traian Băsescu împreună cu unii lideri, care la un moment dat au părăsit PDL. PMP (Partidul Mișcarea Populară) este un partid de centru-dreapta afiliat la PPE (Partidul Popular European). În 2018 este un partid parlamentar condus de președintele Eugen Tomac.

Alături de aceste partide parlamentare cred că ar mai trebui să amintim încă două partide neparlamentare. Primul cu o importanță istorică deosebită, este vorba de PNȚCD, care chiar dacă nu este în parlament, are o imagine istorică în măsură să impună respect și prețuire la o anumită categorie de electori. De asemenea, în ascensiune în preferințele electoratului conform ultimelor sondaje ar mai fi: Partidul România Împreună (bazat pe Mișcarea România Împreună, a cărei președinte fondator este fostul prim ministru al României Dacian Cioloș). Mai există încă o formațiune politică, de asemenea în ascensiune: formațiunea PRO România.

Parlamentul României

Al doilea parametru al realității politice românești pe care dorim să îl prezentăm în acest material se referă la cel mai înalt for decizional din statul român și anume Parlamentul.

11 <https://www.usr.ro/>.

12 <https://pmponline.ro/>.

România s-a constituit ca o democrație înainte cu o sută de ani. Spre bucuria noastră, România astăzi e o democrație în care pluripartidismul, alegerile libere, libertatea de expresie sunt elemente nu numai garantate de constituție, dar sunt și părți componente ale realității românești ale anului 2018. În tradiția românească, parlamentul a fost unul bicameral aspect care a fost reintrodus în România după ce aceasta în anul 1989 a trecut de la dictatură la democrație. Prin urmare, astăzi Parlamentul României¹³ este format din două camere: Camera Deputaților și Senatul. Avem astăzi un număr de 465 de parlamentari dintre care 329 deputați¹⁴ și 136 senatori¹⁵. Fiecare cameră are atribuții specifice. În principal rolul parlamentului, ca de altfel în orice democrație, este acela de elabora, de a dezbate și de a adopta legi și ordonanțe. De asemenea, parlamentul prin comisiile sale parlamentare are și rolul de control în cadrul mecanismului democratic de *checks and balances*. Camera deputaților este condusă de un președinte, iar senatul de un președinte al acestei camere. Din punctul de vedere al puterii politice, președintele senatului este al doilea om în stat. Regula de bază după care funcționează orice parlament este cea a majorităților, la fel această regulă se respectă și în Parlamentul României. În anul 2018 majoritatea parlamentară adică puterea este deținută de o coaliție formată dintre PSD și ALDE. La această majoritate se adaugă tradițional grupul minorităților naționale altele decât cea maghiară (care tradițional votează cu puterea). Din parlament coaliția PSD-ALDE este susținută și de către UDMR, dar această formațiune nu face parte formal din coaliția puterii. Opoziția parlamentară în România în anul 2018 este formată din PNL, USR și PMP. Programul parlamentarilor este compus din sesiuni parlamentare și vacanțe parlamentare. Pe lângă activitățile din ca-

¹³ <http://www.parlament.ro/>.

¹⁴ <http://www.cdep.ro/>.

¹⁵ <https://www.senat.ro/>.

drul parlamentului, fiecare deputat și senator are și activități desfășurate în teritoriu, în principal în colegiile parlamentare în care au fost votați, iar unii dintre aceștia, în funcție de specificul comisiei din care fac parte, au și activități în zona relațiilor internaționale.

Guvernul României

În ceea ce privește executivul, România are un guvern susținut de coaliția PSD-ALDE. În anul 2018 funcția de Prim Ministru al României este ocupată de Viorica Dăncilă. Acest guvern este susținut de majoritatea din parlament, formată în urma alegerilor din 2016. În componența guvernului intră următoarele ministere: ministerul dezvoltării regionale și administrației publice, ministerul mediului, ministerul cercetării și inovării, ministerul afacerilor interne, ministerul afacerilor externe, ministerul apărării naționale, ministerul finanțelor, ministerul justiției, ministerul agriculturii și dezvoltării rurale, ministerul muncii și justiției sociale, ministerul economiei, ministerul energiei, ministerul transporturilor, ministerul fondurilor europene, ministerul educației naționale, ministerul pentru mediul de afaceri, comerț și antreprenoriat, ministerul sănătății, ministerul culturii și identității naționale, ministerul apelor și pădurilor, ministerul comunicațiilor și societății informaționale, ministerul tineretului și sportului, ministerul turismului, ministerul pentru românii de pretutindeni, ministerul pentru relația cu parlamentul. Alături de aceste ministere guvernul mai cuprinde doi miniștri: viceprim-ministru pentru implementarea parteneriatelor strategice ale României și ministru delegat pentru afaceri europene.¹⁶

În paradigma separării puterilor în stat, Guvernul României reprezintă partea executivă așa cum am amintit și la începutul descrierii acestuia. O caracteristică a Guvernului

¹⁶ <http://www.guv.ro/>.

României din anul 2018 este reprezentată de faptul că fiind aproape unul monocolor, se observă o unitate și o coeziune la nivelul acestuia. De asemenea, executivul fiind susținut de o largă majoritate parlamentară a fost ferit în acest an, atât de moțiuni simple, cât și de moțiuni de cenzură, deoarece opoziția nu a reușit să coaguleze în jurul ideilor propuse un număr suficient de mare de voturi în parlament. O ultimă caracteristică a Guvernului României din anul 2018 pe care dorim să o punem în evidență în acest articol, se referă la remanieri sau demisii ale unor miniștri. Chiar dacă guvernul a fost susținut de o largă majoritate parlamentară, puterea a urmărit eficiența acestuia în ansamblul său, precum și eficiența unor miniștri în implementarea programului de guvernare. Pentru că au existat în decursul acestui an anumite sincope în unele zone ale guvernării, anumiți miniștri au fost înlocuiți. Din punctul nostru de vedere, nu personalitățile guvernamentale înlocuite reprezintă ideea centrală de analiză, ci fenomenul în sine, pentru că am constata că nici acest guvern nu a fost scutit de astfel de înlocuiri.

Situația economică și socială

Din punctul nostru de vedere, situația economică și socială a României și a românilor la o sută de ani de la Marea Unire s-a modificat mult în această perioadă. Primul fenomen se referă la creșterea populației urbane și scăderea celei rurale. Comparativ cu media europeană, procentul românilor care locuiesc la sat e mult mai mare, în jurul a 45% din totalul populației României. Al doilea fenomen este cel al migrației, sute de mii de români mergând să-și găsească un loc de muncă în statele din vestul Europei. Acest fenomen a condus și în România la o lipsă a forței de muncă în anumite sectoare. O zonă care s-a dezvoltat destul de bine a fost cea IT, România fiind exportatoare de software, și având alături de Germania cel mai rapid internet la nivel european, și unul dintre cele

mai rapide sisteme ale lumii. O zonă în care România ar putea face mare performanță este agricultura dar, din păcate, nu se reușește să se pună în valoare potențialul uriaș pe care România îl are în acest sector. România este membră NATO și UE, și prin aceste apartenențe și-a asigurat o anumită zonă de confort în ceea ce privește securitatea națională. În ceea ce privește educația, considerăm că școala românească face performanță, dovadă fiind ranking-urile internaționale unde universități de top din România UBB, UB, UAIC și UTB se situează în general în prima mie de universități la nivel mondial (baza de evaluare fiind de 27.000 de universități), în ciuda faptului că învățământul superior din România suferă de o subfinanțare cronică. Problematika de zi cu zi a românilor începe să semene din ce în ce mai mult cu cea a oricărui cetățean de la nivelul Uniunii Europene, cu toate că există și zone în care sunt diferențe mari de percepere a realității între români și cetățeni ai altor state membre, dar acest lucru nu este unul rău, ci practic aceste diferențe sprijină identitatea românilor în cadrul Uniunii Europene și contribuim și noi astfel la sloganul fundamental al UE „unitate în diversitate”. În ceea ce privește politica referitoare la minorități, considerăm că România are o viziune de protejare și prețuire a minorităților, oferind fiecărei minorități naționale cadrul unei dezvoltări firești, în funcție de necesitățile și dorințele acestora. Din punctul de vedere al dezvoltării economice și al formelor economice, România este un stat în care sectorul privat se dezvoltă din ce în ce mai mult, dar există și zone în care statul sau firmele de stat, respectiv instituțiile publice au rolul lor. România anului 2018 este o țară în care concernele multinaționale pătrund pe piață din ce în ce mai mult datorită forței de muncă aflată la un standard de calificare bun și care este mai ieftină decât în statele din vestul Europei. Creșterea economică a României este una bună și se observă o stabilitate macroeconomică ceea ce iarăși este un aspect pozitiv. Raportul leu /euro este unul relativ stabil și se menține în jurul unei valori medii de 4,7

Ron pentru 1 Euro. O situație mai puțin bună este reflectată de numărul prea mare de pensionari raportat la populația activă. Din punctul de vedere al stratificării sociale, România este atipică pentru Europa, existând o mare masă de oameni săraci, iar diferența în ceea ce privește potențialul financiar este foarte mare între diferite categorii de populație (sunt diferențe mari între bogați și săraci). Suntem pe cale să construim acea zonă de *middle class*, dar mai avem mult de lucru la acest aspect. Grevele și pulsiunile de la nivel social din anii 1990 sau 2000 au dispărut aproape în totalitate, dar reacții ale societății civile pe anumite zone cum ar fi corupția, egalitatea în drepturi, legislație sunt vizibile. Se observă o mutație a interesului populației de la joburi, șomaj, salarii (cum era în anii '90) la zonele mai înainte menționate. Totuși în ceea ce privește societatea civilă în ansamblul ei, românii, ca și reacție, au tendința de implicare în proteste sau mentalitatea de a protesta, dar rămân în urma unor state precum SUA sau multe dintre statele membre UE. Cu toate aceste aspecte bune și mai puțin bune România anului 2018, chiar dacă nu se numără printre statele bogate ale Europei, este un stat în plină dezvoltare și transformare, atât în ceea ce privește mentalitatea oamenilor, cât și în ceea ce privește zona economică și socială. Din punct de vedere al resurselor umane și de orice fel, considerăm că România are un potențial de dezvoltare foarte bun, cu o planificare strategică și cu implicare din partea tuturor, pe măsura resurselor pe care aceasta le are.

Realitatea externă

Anul 2018 situează România într-o zonă geopolitică și geostrategică destul de complicată. După alegerile câștigate de Donald Trump în SUA se observă o nuanțare din ce în ce mai accentuată a diferențelor liderilor europeni față de administrația de la Washington, atât în zonele economice, cât și în cele militare. România se găsește într-o situație extrem de de-

licată fiind membră a UE, dar având un parteneriat strategic cu SUA. De asemenea, din punct de vedere militar, România se află într-o colaborare extrem de bună cu SUA, dar este și membră NATO. Poziția geografică a României ne situează la granița de est a UE, lângă Republică Moldova împărțită între două curente – un guvern și un parlament prooccidental și un președinte prorus. De asemenea, ne aflăm lângă o situație de conflict armat, iar în acest caz ne referim la Ucraina. Relațiile noastre cu Turcia sunt bune, deși UE și NATO sunt confruntate cu poziții din ce în ce mai îndepărtate de valorile europene ale administrației de la Ankara și a președintelui Erdogan. În partea de vest a României situația nu este una dintre cele mai confortabile pentru noi. Concentrarea puterii în mâna președintelui Orban, politica lui anti-imigraționistă, tendințele acestuia de a se apropia de Moscova și de președintele Putin sunt aspecte care trebuie analizate foarte serios. În ceea ce privește conflictul din Siria, considerăm că acesta nu ne-a afectat foarte mult nici economic nici în ceea ce privește afluxul de emigranți, care s-au îndreptat mai mult înspre țări din vestul Europei. Totuși conflictul din Siria cât și zonele de conflict din Afganistan, situația kurzilor de la granița cu Turcia, situația din Georgia etc. au necesitat o poziționare a României în raport cu aliații și partenerii noștri strategici, poziționare care a trebuit să țină cont de situațiile din imediata vecinătate a noastră. Toate aceste pulsuni de la est și de la vest obligă România să se mențină ca un pol de stabilitate în zonă, un pol de stabilitate politică, economică și de securitate, în care să fie promovate valorile reale ale democrației și evident sub cupola căreia să fie apărate interesele statului român.

Concluzii

1. România s-a dezvoltat într-o paradigmă europeană în ultima sută de ani, iar cetățenii români au aproximativ aceleași aspirații ca și cetățenii oricărui stat membru UE.

2. Românii sunt pro Europa și pro UE.
3. Dinamica tinerilor e la fel ca și în orice stat al UE.
4. România s-a consolidat, în cea ce privește forma de guvernare, ca și republică.
5. România s-a consolidat ca și democrație în special în ultimii 30 de ani.
6. În cadrul UE România are una dintre cele (dacă nu cea) mai pro americane atitudini.
7. România, prin reprezentanții ei (și prin cetățenii ei), se manifestă din ce în ce mai mult ca și o țară vestică și nu ca una estică.

The Communication Deficit of the European Union in the Post-Truth Era

Susana DRAGOMIR

Abstract. This paper aims to analyse two problems with which the European Union is confronted on the eve of the European elections. The first one is an old problem that has been dragging along for decades, the deficit of communication. The second one is a new problem, entered onto the world scene with the Brexit and the American presidential elections of 2016, the disinformation, which is part of the hybrid-threats.¹ Our main endeavour is to present the European communicational context and its challenges ahead of the upcoming European elections. Hence, we dare to consider that the European elections to be held in May 2019 will be the first elections to be organised in the post-truth era.

Keywords: EU deficit of communication, post-truth, fake news, disinformation, European Union, European elections, hybrid-threats.

Introduction

The European Union is at a crossroads. Barely out of the economic and debt crisis that has heavily shaken its structure, the most successful political construction of our century is

¹ https://cdn2-eeas.fpfis.tech.ec.europa.eu/cdn/farfuture/mu8fInGRacSMjheK7cLRZx2Xgewjb2X1-CZATqGG-ZI/mtime:1528879591/sites/eeas/files/hybrid_threats_en_final.pdf, accessed January 2019.

confronted with other serious challenges such as Brexit, the rise of Eurosceptic populism, terrorism, and migration.

With the European elections coming up, the EU has two important challenges to tackle. On one hand, an old problem needs to be addressed, i.e. the European Union's deficit of communication. This communication deficit "finds its most visible reflection in the apparent difficulty of the European institutions to connect with citizens by way of a public debate" (Spanier, 2010). If not properly dealt with, this deficit will help fake news and disinformation find more fertile ground among the European citizens. The more ignorant the citizens are related to the EU affairs, the more prone to believe the anti-EU fake news.

On the other hand, it also needs to tackle a new problem, which is disinformation. Of course, disinformation is not a new story, it is an old political communication tool; however, recently, due to the wider and faster spreading through social platforms, it poses a threat even to consolidated democracies.

Moreover, external forces are using the "informational war" in order to create division among the Member States, as witnessed in the Brexit case. If not properly countered, the disinformation campaign (an important part of the informational war) led in this framework against the EU can even threaten the very existence of a future European common project.

In the post-truth era, when the half-truths, fake news, and lies are propagated much quicker on social media than truthful and verified information, the EU needs to guard its gates.²

In 2018, the European Commission set up a High-Level Group on disinformation in order to find solutions to combat disinformation, followed by an Action Plan and a Code of Practice for online platforms. In view of the European elections taking place in the following months, would these

2 <http://science.sciencemag.org/content/359/6380/1146>, accessed January 2019.

actions be sufficient to ensure fair and free from foreign interference elections?

The communication deficit of the European Union

Before analysing the context and roots of the EU Communication deficit, it is key to define the very meaning of it. Mayer, the first author to address the communication deficit of the EU, emphasised that this deficit is “linked to the EU decision making process and institutional set-up” (1999, p. 635).

In other words, the complexity of the decision-making, the multitude of actors involved, the lack of highly professionalised staff in the communication field, and the technical content of the messages make the EU subjects too complicated and difficult to disseminate to the public.

Spanier (2012) highlighted that “the European Union is a success story that nobody is interested in”, and of course, instinct would compel us to assume that is just an exaggeration. Nevertheless, looking at the last European elections turnout, when only 42 percent of the Europeans voted, the interest of the public when it comes to European affairs can be called into question.

Moreover, if we were to be even more dramatic, as Golding is, we could say that “a veil of ignorance hangs over the European citizens, particularly as regarding the EU construction and its objectives. The masses are both ill- and under-informed and ideals concerning enlarged and more integrated Europe have been baulked at by popular ignorance and indifference” (2005).

Who is to blame for citizens’ ignorance of European affairs? Could it be the citizens themselves, the European institutions, the national governments, or the media? Scholars have concluded that citizens’ lack of interest towards the European Union and its policies has multiple causes, rooted mainly in

the complex nature of such a supranational construction, which uses 24 official languages and is legislating in more than 80 areas, but also in a communication deficit that has been dragging along the European project, for decades now.

Several authors (Martins, Lecheler, de Vreese, 2011) analysed the communication of the EU and reached the conclusion that due to its technical nature, journalists sometimes ignore the EU messages, if the journalists are not highly specialised in EU policy fields. Moreover, due to the highly bureaucratic structure and procedures, the press releases are mostly very voluminous, unattractive, and hard to grasp by readers.

We would add that EU communication is mainly a two-step communication process disseminated through mass media, national governments, and local EU representations, or non-governmental organisations; hence, one could assume that the communication chain becomes a weakness in itself. European communication is atypical, as it includes many actors, covers a wide range of topics, and delivers complex messages regarding complex decisions. Below, we present the main causes of the EU's communication deficit, in order to get a comprehensive grasp of the communication problems.

- a. The first cause would be the under-mediatisation of the European topics in comparison to national ones, mainly due to the absence of an ad-hoc pan-European channel of communication (Bondebjerg and Madsen, 2008).
- b. The second cause is the complexity and specialisation of the messages transmitted. Some authors refer to “euro-speak”, meaning the confusing, complicated, and elitist discourse used by eurocrats. The European jargon, specialized language, and bureaucratic structure make messages coming from EU institutions appears unappealing to the press and the public (Spanier, 2005).
- c. The third cause would be the fact-based and emotionless communication content – because the EU communication

strategy is meant to be impartial and only informative. However, such neutral and fact-based only communication does not fit into the conflict-oriented approach of the general public media of our era (Valentini, 2013, p. 9-10).

- d. Another cause is related to the dull and uninteresting nature of the content of the press releases issued by European institutions. This leads to a lack of public dissemination by the journalists (Martins, Lecheler, de Vreese, 2011, p. 305-322).
- e. Then comes the EU's inadaptability to the new communicational environment, which is dominated by Snapchat, Facebook, WhatsApp, Twitter, and Instagram. Through these channels, information travels in waves and the users of these platforms mostly pick up the bites of information that reaffirm their own belief systems or those that provoke emotions (Niklewicz, 2016, p. 200).
- f. The sixth cause is the fragmentation and multitude of voices sending different messages regarding the same content. The European Parliament, political groups, and individual MEPs regularly send diverging messages on the same topics.
- g. The blame-game or scapegoating constitutes also a root of communication deficit. The national-oriented agenda of the Member States and their tendency to play the blame game with the EU mean that the national governments assume all the successes and blame the EU even for their own failures (Meyer, 2004, p. 139).
- h. The weak European public sphere is another factor that hinders effective communication. The EU is often seen as a partnership-based structure, to promote collective interests, nonetheless lacks a collective identity. In order to create a strong European public sphere, a strong identity is needed (Adam, 2014).

The European Union navigated through a series of political crises in its history, such as the economic recession in the 1980s, the failure to ratify the Maastricht Treaty by Denmark, the fall of the Santer Commission, the failed ratification of

the European Constitution, the financial and debt crisis of late 2000s, the migration crisis, and the most intimidating of all, Brexit.

During each crisis and thereafter, scholars emphasised the deficit of EU communication and urged the Commission to address the need to bring citizens closer to the Union. Somehow, the gap persists, and despite the numerous efforts of the European Institutions to enhance communication and strengthen public dialogue with citizens, the level of knowledge about the EU within the public is still very low. Furthermore, the distrust of citizens in the Union is growing due to populist propaganda and anti-EU disinformation campaigns. It took a crisis for the Commission to realise the importance of an effective communication: the fall of the Santer Commission.

Over the years, several major steps have been taken in order to bring more legitimacy to the European project and to strengthen the dialogue with citizens, and to further involve them in the Union decision-making process.

After the Santer Commission scandal, the portfolio of a Commissioner for Communication was created, a Commission spokesperson has been appointed and an important step was taken towards the professionalization of staffers working on communication, all this complemented by several white papers and strategies that promised to solve the communication problem.

The Commission communication papers all share a common orientation towards citizens, as can be seen in the creation of European Commission and European Parliament Representations in each Member State, or in the introduction of the Citizen Dialogues, which were intensely used throughout the Juncker Commission.

In the early 2000s, a European Parliament's report by MEP De Clercq called for a communication strategy based on a marketing approach. This meant that the EU needs

to be “sold” to the citizens, but this proposal was rejected immediately by the European Commission, arguing that the EU should not embrace propaganda-based communication, but rather further involve its citizens in the decision-making process (Spanier, 2012, p. 33).

Would this approach have spared the EU from the blame of not being visible enough or close enough? Unfortunately, we will never know.

Recent shifts in the communication strategies of the EU

In this subchapter, we will examine the most important features in the communication of the European institutions. The need for effective communication is not mentioned in the Treaties; however, it has a legal basis in the Charter of Fundamental Rights of the European Union, which guarantees the right of European citizens to be informed about European policies.

Since 2005, the Commission has released a number of policy documents on communication. The main principles are “to create a communication oriented towards listening to the public and taking their views and concerns into account, explaining how the EU policies affect citizens’ everyday lives, connecting with people locally by addressing them in their national or local settings, through their favourite media.”³

Right after the failure of the European Constitution project, the EU put in place a programme for active European citizenship, which was accomplished by the programme Europe for Citizens. For the period 2007-2014, this new programme had a financial envelope of EUR 215 million for the financial period 2007 to 2013.⁴ Its budget was reduced to 185,5 million for the budgetary period 2014-2020.

3 Fact-sheet of the European Union - Communication, 2019, p. 2.

4 http://www.europarl.europa.eu/ftu/pdf/en/FTU_3.6.8.pdf, accessed January 2019.

An important aspect is the shift of the European Commission towards a partnership-based communication with the Member States. The EU is recognising the need “to strengthen partnerships in order to offer citizens better access and a better understanding of the impact of EU policies at EU, national, and local level”⁵.

Another instrument put in place to bring citizens closer to Europe is the Citizens Initiative. This gives citizens the opportunity to bring forward policy initiatives, if these have attained one million supporting signatures (COM, 2007, 0569). Citizens Dialogues are also a very important tool in debating European issues with citizens. Under Juncker Commission, this instrument was intensely used.

In the latest Strategy for Communication for the period 2014-2020, the European Commission emphasised that its corporate communication reflects the idea that the Commission is most effective when it is big on the big things and small on small things. Corporate communication implies having a powerful and compelling narrative showing how the EU improves people’s lives⁶.

Besides the efforts at the EU level, the European Commission and Parliament’s Representations in the Member States and Europe Direct are putting communicational efforts into bringing citizens closer to the EU. Programmes for civil servants such as “back to school” are a very successful tool used by the European Commission. The European Parliament has a long-running Visitors’ Programme, to help familiarise the public with the functioning of the European Parliament; the European Commission does, as well. Nonetheless, the individual members of the Parliament have an important

⁵ *Ibidem*.

⁶ <https://ec.europa.eu/transparency/regdoc/rep/3/2018/EN/C-2018-4063-F1-EN-MAIN-PART-1.PDF>, accessed January 2019.

contribution to inform about and familiarise the citizens with the EU and its policies.

On the common history and identity creation side, it is worth mentioning the PARLAMENTARIUM (an interactive presentation of the European Parliament using new visual 3D video tools) and the European House of History (a Museum about Europe) which was opened in Brussels⁷.

Communicating about the EU in a post-truth era

In 2016, “post-truth” was chosen as the word of the year by the Oxford Dictionary. It refers to the “contention that feelings are more accurate than facts” (McIntyre, 2018).

From a communication perspective, this applies to the era we live in, a post-truth era, where the battle between truth and lies will establish who will be part of the future political arena and who will disappear, including at European level. Therefore, firstly offering a counter-narrative to the anti-EU disinformation and secondly combating disinformation are two essential actions that the EU should take before the start of the electoral campaign for the 2019 European elections.

We have previously seen that EU communication faces difficulties in reaching a great number of citizens due to several structural, budgetary, bureaucratic constraints, added to a complex and novel communication environment.

Eurobarometer surveys have shown that at EU level, the print and broadcast news sources still remain the most trusted (Radio 70%, TV 66%, print 63%), while online sources and video hosting websites are the least trusted, with 26 and 27% trust level (“EC Press Release on Tackling online disinformation”, April 26, 2018). Nonetheless, “the shift from direct access to a newspaper to algorithm-driven access to

7 <http://www.europarl.europa.eu/visiting/en/brussels/house-of-europe-an-history>, accessed January 2019.

unbundled news articles represents an important structural change in news markets. Newspaper editors control both the content and the distribution of articles on their own websites but with the apparition of social platforms and sharing they lose control of the curation or selection of news articles in algorithmic distribution channels.”⁸ Now, the reader is served by algorithms with news that he might enjoy, based on their past preferences.

However, the public does not always choose what information they receive. A large part of the news circulated in the European online space is free and much easier accessible to the public. Nonetheless, two thirds of online news consumption are channelled through algorithm-driven platforms, such as search engines and news aggregators or social media (Martens, Aguiar, Gomez-Herrera, Mueller-Langer, 2018, p. 6). Therefore, one could infer that those most at risk of being the victims of disinformation and false news are among those trusting online news – so, 26% of Europeans (*see above reference to Eurobarometer surveys*).

The outcome of the UK referendum on Brexit has proven that truth can be easily sacrificed on the altar of emotions, especially if it is in a context of politicians abandoning their duty to inform and reach out to their constituencies (many UK MEPs having refused to participate to the pre-referendum campaign). With this in mind, the EU needs to prepare for the European elections. The task is not only to reach out to its citizens, but also to prevent its citizens from being misinformed by anti-EU propaganda. The task is not an easy one, especially when the messages of the anti-EU front are simpler, more emotional, and better focused, so easier to accept and share.

⁸ https://ec.europa.eu/jrc/communities/sites/jrccties/files/dewp_201802_digital_transformation_of_news_media_and_the_rise_of_fake_news_final_180418.pdf, accessed January 2019.

Another challenge for the EU communicators is to adapt their messages and communication strategies to the new communicational environment.

Why is the media and communication environment so important? In the context where one of the latest Eurobarometers (*see Flash Eurobarometer 464*, April 2018) has shown that 26% of Europeans trust the information accessed through the online social platforms and messaging apps.

It was discovered that the reason for the more rapid dissemination of fake news compared to factual news is the psychological behaviour of individuals. While factual news is not surprising, and does not always bring something spectacularly different, fake news are surprising, bombastic, and new, thus more likely to be spread on social media.

Another reason for the spreading of fake news is the need to teach something new to others, and to seem more connected and more aware of the matters of the world. As such, this behaviour could be explained by the need to boost self-esteem (Vilmer, Escorcía, Guillaume, Herrera, 2018, p. 32).

A report issued by Reuters has shown that even if the most popular news websites have a higher average monthly reach, fake news spread more virally. For example, in France, one false news outlet generated an average of over 11 million interactions per month – five times greater than more established news outlets⁹. The same mechanism linked to self-esteem could explain why people are drawn to conspiracy theories, which play an important role in believing untruthful news.

The virality of fake news is given by their very design. This type of news is written specifically for virality, in a spectacular,

9 Measuring the reach of “fake news” and online disinformation in Europe, Reuters Institute <https://reutersinstitute.politics.ox.ac.uk/our-research/measuring-reach-fake-news-and-online-disinformation-europe>, accessed February 2019.

emotional, alarmist way, and is meant to play with feelings such as fear and anguish, and to trigger our cognitive biases (Vilmer, Escorcía, Guillaume, Herrera, 2018, p. 32).

Among the most circulated disinformation campaigns meant to create a hostile perception about Europe, listed on the website created by the European External Service, euvsdisinfo.eu, are among the following: European women will be forced to wear a hijab, Christmas lights are forbidden in some European countries in order not to offend the Muslims, or European flee to Russia because of juvenile justice and homosexual dictatorship, or to the will of the wicked West to legalise paedophilia¹⁰.

Why do all these fake news against the EU find fertile ground? First of all, because of a distrust in traditional media. We have seen that the most vulnerable segment for disinformation is the population segment that gets the news only online, through social platforms. The 26% of Europeans are very likely to be the victims of disinformation.

The country trust in the news received through social platforms and messaging applications range from 41% in Portugal to 17% in Austria and Germany. On the other side, at least a third of respondents answered “don’t know” to this question in Lithuania (38%), Estonia and Hungary (both 34%)¹¹.

This is one of the two least trusted sources of news and information (along with video hosting websites and podcasts) in most of the countries. The exceptions are Romania, where this source has a slightly higher level of trust than online newspapers and news magazines (39% compared with 37%), and Hungary, where trust in these two sources is the same¹².

¹⁰ <https://euvsdisinfo.eu/disinformation-cases/?offset=70>, accessed February 2019.

¹¹ Flash Eurobarometer 434, April 2018, accessed February 2019.

¹² *Ibidem*.

An important aspect that needs to be mentioned in this section is the fact that the populist and anti-EU communication is much simpler, emotional, and accessible.

The EU's actions to ensure fair and free elections and tackle disinformation

After Brexit and the American presidential elections, ensuring free from foreign intervention European elections became a pressing security challenge for the EU and for the Member States.

This section will analyse all the actions taken by the European Union in order to tackle disinformation and also to address other hybrid threats. The European election lasts longer than any election (four days), and it implies cross-border data exchanges, therefore it has an increased vulnerability to cyberattacks from foreign powers or individual hackers.

It is first necessary to give a definition of disinformation in order to clarify the concept. According to the European Commission, disinformation is “verifiably false or misleading information that is created, presented and disseminated for economic gain or to intentionally deceive the public, and may cause public harm”.¹³

The European Union does not have competences related to security aspects of the Member States. Therefore, due to its limited competences in the field of disinformation and hybrid threats, the EU is cooperating with the Member States and NATO partners to tackle these security threats together.

Disinformation is one of the components of a larger category, the hybrid threats. Hybrid threats are defined as “conventional and unconventional military and non-military

¹³ http://europa.eu/rapid/press-release_MEMO-18-6648_en.html, accessed February 2019.

activities that can be used in a coordinated manner by state or non-state actors to achieve specific political objectives”.¹⁴ Those threats include “cyber-attacks on critical information systems, through the disruption of critical services such as energy supplies or financial undermining of public trust in government institution and deepening of social divisions”.¹⁵

Further, we include a chronological presentation of actions taken at the EU level, and furthermore we will select some of the most illustrative cases from the Member States that show best practices to tackle disinformation and fake news.

Chronological presentation of actions taken by the EU in tackling hybrid threats and disinformation

In 2015, the External Action Service of the European Union put in place the East StratCom Taskforce (EUOCO 11/15) after the European Council meeting from March 19-20th, 2015. The Task Force was set up to address Russia’s ongoing disinformation campaigns.¹⁶

One year later, a Joint Framework on countering hybrid threats was adopted by the European Council. Followed by a Hybrid Fusion Cell within the External Action Service, a Hybrid Fusion Cell destined to “act as a single focus for the analysis of hybrid threats to the EU”.¹⁷

In 2017, in Helsinki, the European Center of Excellence for Countering Hybrid Threats was established, and later on,

¹⁴ https://eeas.europa.eu/topics/economic-relations-connectivity-innovation/46393/europe-protects-countering-hybrid-threats_en, accessed February 2019.

¹⁵ *Ibidem*.

¹⁶ https://eeas.europa.eu/headquarters/headquarters-homepage/2116/questions-and-answers-about-the-east-stratcom-task-force_en, accessed February 2019.

¹⁷ European Commission Fact Sheet - EU Steps up action against disinformation, accessed February 2019.

in 2018, a Joint Communication on increasing resilience and bolstering capabilities to address hybrid threats was published. Besides these security actions taken earlier, after conveying a High-Level Group on Disinformation in April 2018, the EC published a Communication on tackling online disinformation. Later in September 2019, and more importantly, the EU published an Action Plan on Disinformation, complemented by a Code of Practice on Disinformation, in December 2018.

The main provisions of the Code of Practice have the aims of:

- a. Disrupting advertising revenues of certain accounts and websites that spread disinformation;
- b. Making political advertising and issue-based advertising more transparent;
- c. Addressing the issue of fake accounts and online bots;
- d. Empowering consumers to report disinformation and access different news sources, while improving the visibility and findability of authoritative content;
- e. Empowering the research community to monitor online disinformation through privacy-compliant access to the platforms' data.”¹⁸

The signatories of the Code of Practice, abided on a voluntary basis and based on the self-regulatory principle to abide by the best practices proposed by the EU are the following: Facebook, Google, Twitter, Mozilla. Each one of the platforms received a Roadmap from the European Commission to follow and to report on progress.

According to a fact sheet issued by the European Commission on December 5th, 2018, the Action Plan is meant

¹⁸http://europa.eu/rapid/press-release_STATEMENT-18-5914_en.htm, accessed February 2019.

to: improve the capabilities of EU institutions to detect, analyze, and expose disinformation, strengthen and coordinate joint responses by EU institutions and Member States, mobilize the private sector in order to tackle disinformation and raise awareness about disinformation.

There are several shortcomings related to the Code of Practice that is rooted in the self-regulatory and voluntary aspect. Even the European Commission recognizes in one of its press releases the issue that the pressure of time does not allow for other types of more constraining instruments.

“The multi-faceted and fast developing issue that requires immediate action. Therefore, self-regulation, if correctly implemented, is an appropriate way for online platforms to take swift action to tackle this problem. By comparison, a regulatory approach would take longer to prepare and implement.”¹⁹

Soon after the publication of the Code of Practice on Disinformation, the European Broadcasters Union issued a position that criticizes the European Commission for the missed opportunity to address the problem in a serious manner.

We are presenting just an extract from their position.

“This is a missed opportunity to address the very real problems created by the spread of disinformation online. The online platforms and social networks have a responsibility for the content that they circulate and they must act decisively against all types of fake news and disinformation. We would urge the European Commission to realize the scale of the threat and take this issue seriously. For example, we would like to see the platforms demonstrate more transparency – both in terms of

¹⁹ http://europa.eu/rapid/press-release_MEMO-18-6648_en.htm?locale=EN, accessed February 2019.

sources and sponsorship – and also address the way algorithms are currently controlling the content delivered to audiences.”²⁰

On a more positive note, some advancements have been made. STRATCOMM has made some progress on tackling disinformation. The External Action Service’s achievements are listed on its website, among which lie the creation of euvsdisinfo.eu and the @EUmythbuster Twitter account, and the fact that it has debunked over 4,500 cases of disinformation attempts on various subjects.

In his statement from December 5th, 2018, Commissioner Ansip recognizes that some of the actions of the EU have had some results “our East StratCom Task Force has identified and analyzed more than 4,500 disinformation cases. Russia spends €1.1 billion a year on pro-Kremlin media. You will also have heard about the troll factory based in St Petersburg and bot armies”.²¹ Nonetheless, we cannot help but notice that the budget for tackling hybrid threats is of only 5 million euros, compared to the disproportionate budget offered by Russia for anti-EU propaganda or disinformation. Even Commissioner Ansip recognized in one of his public speeches that “he would allocate at least 50 million euros for combating disinformation”.

However, besides the actions taken at the EU level, the Member States are also required to take action in order to combat disinformation. According to European Values, Czech think-tank’s report published in June 2018, the EU Member

²⁰ <https://www.ebu.ch/news/2018/10/code-of-practice-on-disinformation-fails-to-tackle-the-scourge-of-fakenews>, accessed February 2019.

²¹ https://ec.europa.eu/commission/commissioners/2014-2019/ansip/announcements/statement-vice-president-ansip-action-plan-counter-disinformation-and-progress-achieved-so-far-press_en, accessed February 2019.

States could be placed in five categories:

- a. Those who are aware of the damage that the disinformation does and take proper actions for countering it; in this category are the UK, the Baltic States, and Sweden.
- b. The second category of states takes disinformation seriously. These are the so-called “awaken” ones, who in this regard mobilize their intelligence structures: Germany, Poland, Finland, Denmark, Romania, Czechia, France, Spain, and the Netherlands.
- c. The third category is slower to take action and more reserved. Here belong Member States as: Belgium, Slovakia, Ireland, Croatia, and Bulgaria.
- d. The fourth category is formed by countries who deny the threat posed by disinformation. It includes Hungary, Italy, Luxembourg, Malta, Portugal, and Slovenia.
- e. In addition, the last one, the opponents of every common action at the EU level. To this belong Cyprus and Greece.²²

On February 26th, 2019, ENISA (the European Cybersecurity Agency) published an opinion paper recommending to the EU Member States to introduce national-level legislation “in order to tackle the challenges associated with disinformation.”²³

Long-term measures to combat disinformation

Besides the tools and the cooperation between Member States, involving intelligence sharing and rapid alert, the EU put in place long term measures to tackle disinformation. Several are worth mentioning, such as the Social Observatory for Misinformation and Social Media Analysis (SOMA) or the

²² <https://www.kremlinwatch.eu/userfiles/2018-ranking-of-countermeasures-by-the-eu28-to-the-kremlin-s-subversion-operations.pdf>, accessed February 2019.

²³ <https://enisa.europa.eu/publications/enisa-position-papers-and-opinions/election-cybersecurity-challenges-and-opportunities>, accessed February 2019.

support of quality journalism through the Program Creative Europe 2021-2027. The EU also allocated a budget of EUR 1,9 million for the production and broadcasting of media.²⁴

The relation between the deficit of communication and the voting behaviour, in a post-truth era

The turnout for European election is lower than the one for national elections, as shown in the graphic below (Fig. 1). The only countries where the turnout is similar are those that combine national elections with European elections or where vote is compulsory, as is the case of Belgium or Luxembourg.

What is clear is that citizens are more interested in national politics than in European politics. National politicians and national politics are closer and more familiar to the citizens, and national figures are better known than the European ones.

In the Eurobarometer Survey from 2018, “the lack of information is a relevant element to be considered, as citizens believe that people might abstain because ‘they do not know enough about the role of the European Parliament’ (34%), when it comes to people abstaining from voting at the European elections.”²⁵

The low interest in EU affairs compared to national affairs is also visible in voting intentions. In 2018, related to the interest towards European elections, “while 68% of Europeans declare that ‘voting in national elections’ is of high importance (scores 8, 9 and 10), only 49% share this opinion with regard to European elections.”²⁶

24 http://europa.eu/rapid/press-release_MEMO-18-6648_en.htm?locale=EN, accessed February 2019.

25 Eurobarometer Survey 89.2 of the European Parliament A Public Opinion Monitoring Study.

26 *Ibidem*.

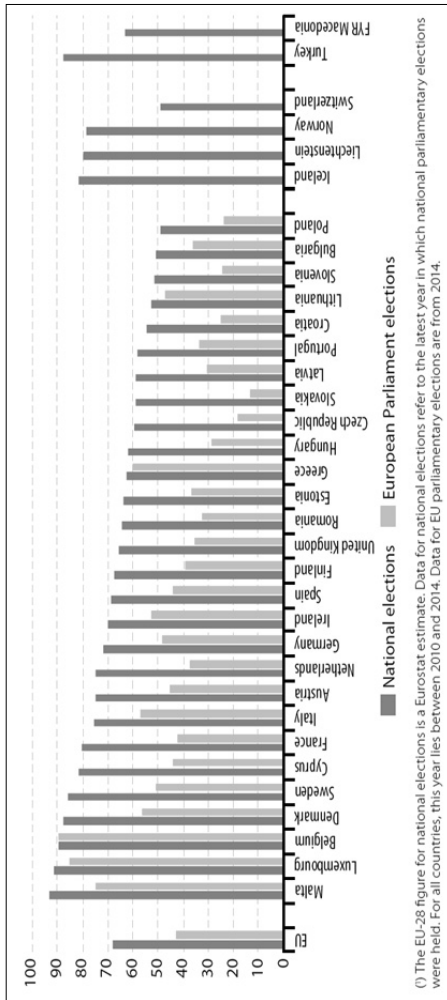


Figure 1. Turnout in national and European elections (Source: Eurostat)

Regarding socio-demographic attitudes, the same Eurobarometer shows that oldest generations and citizens with a higher level of education are more likely to declare their intention to vote in the next European Parliament elections.

The EU communication is specialised, complex, and elitist; therefore, it reaches the most educated segments of population and translates it into voting behaviour. A worrisome aspect is that the segment of population over 65 years of age is the most vulnerable to fake news.²⁷ This has to do mostly with aspects linked to media literacy. Therefore, there is a link between the EU knowledge and the possibility to believe the fake news about the EU and participate involuntarily in the disinformation campaigns of the anti-EU foreign forces.

Conclusions

The upcoming European elections from May 2019 are being organised in a totally new atmosphere. One of the main concerns of the EU and of some Member States is to ensure free from foreign interference elections. This implies building more resilience against hybrid threats such as cyberattacks, data manipulation, or disinformation.

An important vulnerability for the EU citizens remains the lack of knowledge about the EU, which is linked to the deficit of communication. This lack of knowledge will make of citizens with low knowledge about the EU an easy prey to disinformation campaigns.

We analysed the measures put in place by the EU to make sure that disinformation is tackled; nonetheless, on one hand the resources allocated are limited, on the other hand, some of the measures came too late, such as the Code of Practice and the Action Plan of Disinformation.

²⁷ <http://advances.sciencemag.org/content/5/1/eaau4586>, accessed February 2019.

The Platforms failed to make important progress, and their responses to the Roadmap imposed by the Commission is very disappointing. In a common press statement from February 28th, the European Commission, through the commissioners Jourova, Ansip, Gabriel, and King criticised the platforms for not “providing enough details showing that new policies and tools are being deployed in timely manner and with sufficient resources across all EU Member States”.

Facebook failed to report “on the scrutiny of ad placements and the number of fake accounts removed due to malicious activities targeting the EU”, meanwhile Twitter has not addressed the “transparency of ads”²⁸. We believe that the voluntary aspect of the Code of Practice is a very big miscalculation by the EU.

The measures taken at the EU level are insufficient to ensure that the elections will be hybrid-threats proofed without commitments from the Member States. The clock is ticking, and the platforms seem not to make any advancements towards the goals imposed by the Action Plan. The network of fact-checkers network is only set up in several member states, and the clock is ticking.

We would summarise the actions of the EU concerning disinformation as too slow and too light. The Commission was able to regulate e-commerce, the same approach could have been used towards disinformation. Unfortunately, we cannot make predictions, we only assert that the next European elections are held in a very difficult context, with insufficiently addressed challenges, and we are very skeptical about the implementation of the Roadmap given by the EU to the platforms that signed the Code of Conduct on Disinformation.

We also express our concern about the lack of resources when it comes to setting up fact-checkers. The European

²⁸ <https://www.euractiv.com/section/digital/news/eu-wraps-facebook-twitter-and-google-for-inaction-on-fake-news>, accessed February 2019.

Network of Independent Fact Checkers does not extend to all regions and member states, and we fear that some of the member states will be extremely exposed to disinformation.

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Towards a Narrative of the European Union as Reflected in Romanian Newspapers

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Abstract. The present article analyzes ten reports about the European Union, taken from different Romanian language newspapers, and tries to identify the existence of a narrative created through this type of media text; and if such a narrative could have influenced the Romanian perception of the European crisis, thus helping the spread of the notion of Euroscepticism in discourse among people who are not really aware of its mechanisms and implications.

Keywords: European discourse, Euroscepticism, narrative frames, linguistic networks.

Introduction

European Union became quite a common notion nowadays, widely used in all types of linguistic constructions, but less attention has been paid to how the process of communication would create – or not – a narrative for the image of the European Union in Romanian mediatic space. Specialists in the field of political sciences in Romania have reproached the lack of an emotional dimension in this type of discourse, drawing attention on the avalanche of the technocrat words, which, at some point, switched the direction of the discourse towards what Lakoff (2010) would call a “mercantile” and “transactional” type of discourse. Another drawback

mentioned by the political Romanian analysts is the fact that the political aspects have overtaken the European discourse to such an extent that we risk to unnecessarily complicate stages in political communication.

Taking into consideration the nowadays European political scene, it seems of utmost importance to look at the language that is being used to create reality – or political reality – and to analyze what linguistic tools have been used to serve for different communicative purposes. Such an attempt requires a few distinctions first, such as, the difference between direct political discourse and mediated political discourse (Zglobiu, 2015). The latter may be amenable to agenda-setting, gatekeepers or AIDA (attention, interest, desire, action) strategies and biased material may not provide an accurate sample for linguistic analysis. Shaping European identity depends a lot on how the state members use the language, that is, how they manage to build a positive or a negative communicative dimension, which creates a shared reality afterwards. Galpin (2017, p. 27) perfectly exemplifies the role of language in shaping identity:

“We miss a vital element in the construction of identity if we fail to recognize that it not only involves a sense of belonging to Europe and active engagement in Europe but also that it demands communication about Europe. European identity is established not just by the ways in which member state elites and citizens self-identity as *being* European but also by what they are *saying* about Europe as they engage with Europe.”

According to the different themes, actors, and arena, Crepy (2015) identifies a threefold approach to analyzing European discourse based on the following categorizations: EU seen as *a polity and as a global actor* – fostering a direction for the scholars of constructivism who believe that Europe

is socially constructed through discourse, *Europe as a public sphere* – where attention goes to the discursive practices within civil society and how they contribute to the creation of an European political space known as a public sphere and *the discursive dimension of Europeanization* – where scholars study the way discourses impact the policy-making processes within Europe. No matter the approach taken into consideration, the fact that communication plays a central role in each and every case is more than obvious. Moreover, the way Europe is talked about in the public sphere seems to shape its identity, so public discourses are key in shaping how citizens relate to the EU (Sternberg, 2013, p. 2).

Methods

In recent years, researchers have become increasingly interested in European discourse analysis, trying to detect in what ways discourse may alter or not social realities, with what exact mechanisms it manages to create the public sphere discursive space and how far it goes in influencing the policy-making process. One of the characteristics of political communication is the fact that “political communication is conducted through societal channels, and political messages are not always differentiated from other messages, especially in the minds of the receivers” (Rush, 1992, p. 160). Besides that, political communication is also influenced by a variety of factors such as technological, economic, socio-cultural and political, thus becoming a challenge to detect whether the reality shaping factors in the European discourse are European *per se* or mingled with different inputs of such factors as those mentioned above.

The purpose of this paper is to find out whether the Romanian printed press had an impact upon the image of the European Union as perceived by the Romanians and tries to identify the existence of a narrative created through this type

of media text. The premises of the study were that discourse can produce different framings of the European project, thus leading to a biased interpretation of the facts, most of the time that of a crisis of some sort and, secondly, that once the portrait of the crisis has been disseminated through different claims and frames, the propagation of the notion of Euroscepticism may be spread among the citizens and wrongly misunderstood. The corpus is composed by nine newspaper articles chosen from the most representative ten Romanian magazines: *Adevărul*, *Cotidianul*, *Curentul*, *Evenimentul Zilei*, *Gîndul*, *Jurnalul Național*, *Libertatea*, *Ziare*, *Romania Liberă* și *Curierul Național*. All the articles were written in November 2018 and published in online form (all of them, some also in printed form), the publishing dates differ, but all the corpus was selected within the time frame of one month. The criteria of their selection also included: medium length size, items related to European Union in the title and public accessibility. One famous Romanian magazine *Evenimentul Zilei* did not publish any articles on the topic of European Union, although it displayed 50 articles published in November 2018.

Claim analysis and frame analysis

Taking on a constructivist approach, the present study uses the techniques of claim analysis for analysing the claims presented in the selected corpus and the frame analysis for detecting how discursive elements enable actors to construct meaning. Galpin (2017, p. 67) proposes a typology of the European Frames in moments of crisis after studying the European identities in Germany, Ireland, and Poland, arguing that “the crisis frames can reveal particular understandings of national and European identities and help us to understand the meaning or ‘content’ of ‘Europeanness’ as a political identity.” The *crisis frame* refers most of the time to critical junctures and it “also serves to create divisions in Europe” (ibid). The *interest frame* on the other hand, disposes of different

sub-frames and “the European Union is not discussed explicitly in terms of identities or values but perceived material interests of either Europe or the nation-state” (ibid.). The *solidarity frame* “reveals particular understandings of the ‘good European’ through moral evaluations [...] where solidarity is primarily expressed in relation to the national populations. This frame can also reveal the boundaries of the European community” (Galpin, 2017, p. 68). The last frame selected for the analysis of our corpus is that of *Sovereignty Frame* and it is linked to questions of national sovereignty “including fiscal or budgetary sovereignty and threats to national sovereignty by other EU member states” (ibid.).

Corpus description

Articles were indexed as T1-T9 and their references will be displayed in the bibliography section according to this order.

T1: Title *Război deschis cu Uniunea Europeană / Open War with The European Union* was published on the 13th of November 2018 in *Adevărul* Newspaper, author Alin Mituța and it tries to offer a description of the errors that the actual government has made in relation to all the European legislation stipulations. It questions the ability of the Romanian government to overtake the presidency of the Council of Europe and the capability of performing the function of honest broker between the member states.

T2: Title *Comisia Europeană răspunde acuzațiilor: MCV are scopul de a ajuta, nu de a pedepsi/ The European Commission answers the allegations: MCV’s purpose is to help not to punish* was published on the 15th of November in *Cotidianul* newspaper, author R.C. and it reports a list of explanations given by different political dignitaries for the implementation of the Mechanism of Cooperation and Verification requirements.

T3: Title *Europa Unita la centrifugă/ Europe United in centrifuge* was published on the 18th of November 2018 in

Curentul newspaper, author Corneliu Vlad, and it presents in a narrative style the so-called state of facts in Brussels and Romania, in a neutral manner, listing the pros and cons of both.

T4: Title *Revoluția bolșevică și fantomele ei. Noi și Uniunea Europeană/ The Bolshevik Revolution and its ghosts. Us and The European Union* was published on the 7th November 2018 in *Gândul* newspaper, author Vartan Arachelian. The article describes different aspects of the Bolshevik ideology and how it affected Romania from 1958 to nowadays.

T5: Title *Acordul Brexit este unicul posibil/ The Brexit Agreement, the only one possible* was published on the 25th of November, in *Jurnalul Național* newspaper, author not mentioned, it informs on the press conference of Jean-Claude Juncker regarding the Brexit Agreement which had been previously signed by the EU and proposed to be accepted by Britain.

T6: Title *Zi tensionată pentru România! / A very tense day for Romania!* was published on the 13th of November, in *Libertatea* newspaper, author not mentioned, it presents 13 amendments stipulated by the European Commission in the Mechanism of Cooperation and Verification (MCV) report for Justice issued for Romania. The recommendations refer to the system of justice in Romania and suggest different measures that should be applied in a state of law of the EU.

T7: Title *Dupa cel mai dur raport MCV, PSD vrea sa dea in judecata Comisia Europeana. Ce vor sa faca celelalte partide? / After a very harsh MCV, the Social Democrat Party wants to sue the EU. What do the others do?* was published on the 14th of November 2018 in *Ziare* online newspaper, author Alexandra Sandru, it presents a very rough CVM on Romania regarding the justice system and the reaction of the Social Democrat Party towards the results of the EU commission analysis.

T8: Title *România cere bani de la UE pentru a extinde metrourl până la aeroportul Otopeni/ Romania is asking for money from the EU for further extension of the subway towards Otopeni*

Table 1: Results of the linguistic interpretation.

TEXT	IMPACT	FUNCTION	FEATURES
T1	<ul style="list-style-type: none"> - the cognitive dimension covers information on how bad things are being handled by the actual government, in terms of government-EU relation - the emotive dimension evokes animosity towards the actual government 	<ul style="list-style-type: none"> - persuasive function - it crosses the border of persuasion towards manipulation in the sense that it uses only pieces of information from different contexts, e.g. does not explain the official duties of the government but it interprets the interaction between the government and EU 	<ul style="list-style-type: none"> - the text employs problem-solution structure - the discourse mode: narrating - no visuals resources (no photos or colours) - use of emotive appeal - verb tense: present simple - lexical choices: colloquialisms
T2	<ul style="list-style-type: none"> - the cognitive dimension covers information about the results of MCV on Romania - has impact on the reader's identity as a member of the EU 	<ul style="list-style-type: none"> - informative function 	<ul style="list-style-type: none"> - it employs problem-solution structure to achieve its function - discourse mode: narrating - layout: use of photos to induce the feeling of justice - the intertextual references have as central character the European Commission - use of verbal tense: past simple
T3	<ul style="list-style-type: none"> - impact on how society perceives the collaboration between Romania and EU 	<ul style="list-style-type: none"> - analytical function 	<ul style="list-style-type: none"> - discourse mode: describing - use of photos: photo of the author, gives credibility to the information conveyed in the material - verbal tense: present simple

TEXT	IMPACT	FUNCTION	FEATURES
T4	<ul style="list-style-type: none"> - impact on how society perceives the Romanian political class 	<ul style="list-style-type: none"> - satirical function 	<ul style="list-style-type: none"> - discourse mode: narrating - structure: problem -solution text - techniques of emotive appeal employed - social aims
T5	<ul style="list-style-type: none"> - cognitive dimension: information on Brexit accord - impact on how society perceives the consequences of leaving EU 	<ul style="list-style-type: none"> - informative function 	<ul style="list-style-type: none"> - discourse mode: describing
T6	<ul style="list-style-type: none"> - impact on how people perceive the role and effectiveness of legislation processes and the current Romanian laws 	<ul style="list-style-type: none"> - specialised function 	<ul style="list-style-type: none"> - discourse mode: specialised discourse - problem-solution structure
T7	<ul style="list-style-type: none"> - impact on how Romanians perceive the role of European Commission and how the government reacts to protect the country 	<ul style="list-style-type: none"> - informative function 	<ul style="list-style-type: none"> - discourse mode: informative
T8	<ul style="list-style-type: none"> - impact on how society perceives the help of European Union and the necessity to belong to the European Family in terms of future development 	<ul style="list-style-type: none"> - informative function 	<ul style="list-style-type: none"> - discourse mode: informative
T9	<ul style="list-style-type: none"> - impact on how Romanians relate to the Government's activities, in this case Agricultural activities presented in the European Council Meeting 	<ul style="list-style-type: none"> - descriptive function 	<ul style="list-style-type: none"> - discourse mode: descriptive

airport, was published in România Liberă newspaper, on the 10th of November, author Mihai Diac, as the title itself suggests, the article presents the financial request of Romania for EU funding in order to implement a subway project.

T9: Title *Petre Daea a participat la reuniunea Consiliului de miniștri Agricultură și Pescuit/ Petre Daea attended the Agriculture and Fisheries Council Meeting*, was published in Curierul Național newspaper on the 23rd of November 2018, author unknown, and it describes the activity of the Minister for Agriculture and Rural Development during the EU Agriculture and Fisheries Council Meeting in Brussels.

Discussion

Following the pattern what-how-why when analysing the corpus and trying to determine if there is a clear narrative created and commonly shared by all the articles, it seems that there is no coherence in shaping an identity of Europe for the Romanian public. In most instances, information is presented in disruptive chunks of text, thus making it almost impossible for a non-specialist reader to understand the mechanisms of the European Union or the official patterns that our country has to follow. T1 for example, seems to be more about the inefficiency of the Romanian government than European duties and the way our country could perform them, using the European context of the presidency of the Council of Europe to create negative inferences and negative political connotations.

T2 seems to be a reply to T1, although in a totally different newspaper (T1 is in *Adevărul Newspaper* and T2 is in *Cotidianul Newspaper*), where the reader finds different explanations from different sources reporting that the European Commission has no political colour and the MCV has solely the purpose of helping Romania develop better. The European Union is portrayed as a guiding comrade who is assisting the younger friend to find the best path in life;

willingly or not, the article introduces the reader to positive aspects of the EU.

T3 offers the reader an analytical picture of the political games performed in Bucharest and Brussels. In a neutral manner, the author describes the actors and the stake in each possible future scenario, bringing the analysis close to a *crisis frame*.

T4, T5, and T6 draw on *sovereignty frame*, be it fiscal or budgetary, the discourse created by these texts acknowledges a reality of interactivity within states members as a sine qua non condition for belonging to EU (*see T5 on Brexit*) and the reader is exposed to a series of possible consequences which may be perceived as threats to national sovereignty if not understood correctly.

T7 has a very misleading title, the reader would expect to find a very thorough description of the Cooperation and Verification Mechanism for Romania, since it occupies the first position in title but instead, we are presented with political positioning among the Romanian parties and different statements made by politicians.

T8 and T9 are built on *solidarity frame*, each text presenting the importance of belonging to the European community and the benefits of taking part in the European sustainable development plan.

All the texts seek to foreground a specific issue, ranging from the crisis frame to that of solidarity and positioning the actors (member states or politicians) according to the issue presented: poverty, inefficiency, inequality, progress, funding, etc.

Conclusion

The linguistic analysis of the nine articles confirmed the premises of the study, in the sense that the texts do have their own type of discourse thus creating and shaping realities (frames) and a wrong interpretation of the facts may be

definitely misleading in creating points of view about the EU. Another observation, not necessarily a linguistic one, is that the functioning mechanisms of the European Union are rarely explained in the present corpus, making it very hard for a non-specialised reader to comprehend the general context. The lack of explanations may stand at the very core of the notion of Euroscepticism, people tending to embrace scepticism in front of unfamiliar notions.

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Corpus

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Cultural Resistance and the New Populism in Poland

Michał RAUSZER

Introduction

Phenomena related to the so-called new wave of populism dates back to 2010 (Eatwell and Goodwin, 2018). One of its causes is indicated by the financial crisis of 2008. A large part of the middle class in the western countries lost financial stability, wages have also stopped growing. One of the answers to this process was structural narratives about causes of the situation (Abrams and Vasiljevic, 2014). These structures first became referred to specific anti-globalization discourses, which recognizes processes related to globalization (flow, transfer of factories and loss of jobs) as a threat (Glynos and Voutyras, 2016). As positively valorized opposition, they showed local community, most often a national one. As a result, from 2010, we can observe the turn toward nationalism and national communities (Eger and Valdez, 2015).

This structure of the globalization-localization opposition became basic and gives shape to many different narratives. Its most popular expression is the opposition between the mainstream and the alternative (Burszta, 1998). The term 'mainstream' is understood as a series of phenomena that relate to power and its exercise: from access to resources,

access to police power, to the control of ‘thinking’, and so the press, television broadcast in the network. Mainstream is a pejorative term, combining all possible phenomena that are a negation of the alternative. The alternative is valorized positively, it is associated with honesty, devotion, dedication or focus on the common goods. In this way, everything that connects with the mainstream is dirty, bad, selling, greedy, ruthless, and everything with an alternative is clean, good, and unselfish. We can define this structure as based on the myth of David and Goliath. The scale is also important. Mainstream phenomena are referred to as: powerful, omnipotent (Goliath), while those associated with the alternative are described as small, bottom-up, sincere, grassroot (David), and thus endowed with a moral mandate to fight. In my text, I aim to show how this battle-structure of David and Goliath functions in the environment of new populism. I aim to show how the discourse in this environment creates a kind of understanding of the world through reference to the struggle and resistance. I tackle this environment to analyze on selected examples referring to the discourse emerging within the framework of the new populism. The subject of my analysis are websites, blog texts, press sites, visual and other materials that operate in the context of new populism. I also aim to show how the battle structure of David and Goliath, present in this discourse, becomes the basis of actions and social activism of a resistance character. The text is a presentation of the results of research and analyses that I conduct on the new Polish populism. The basis of methodological research is the theory of populism by Ernesto Laclau. The research was conducted in 2015-2019.

Populism, the people, and nation

A number of phenomena, which are called jointly new nationalism, neonatalism, or populism, date from around 2010. They came almost directly out of the last financial crisis

of 2008 and the spread of neo-liberal ideology in a broader perspective. The first event – the financial crisis – undermined the stability and certainty of the world for most of the people. There was a conceptual gap between the situation of the individual and global processes. The crisis has made it harder and harder to fit own situation into a wider process. For example, the real deterioration of the situation of many people in Poland after 1989 was explained by the political transformation (Hardy, 2012). In the event of crisis after 2008, this narrative no longer worked or acted to a limited extent. As CBOS research on response to the crisis showed, half of the respondents indicated that the crisis will not affect their household, a slightly larger part, that it probably will not affect their workplace, while the vast majority indicated that it will have an impact on the Polish economy. What's more, 37% of respondents said that the Polish economy is poorly prepared for the crisis (CBOS, 2008). Apart from all other conclusions, it is clear that there is no correlation between the crisis and the personal situation, but such a correlation occurs at the level of the whole country. This clearly indicates the lack of connection between the perception of one's own situation as part of global processes. Thus, a gap arises between the own and the global situation.

Ernesto Laclau gives an example of the creation of this gap: suppose (a) that the increase in demand for wheat on the global market drives up its price, (b) it becomes a stimulus for wheat producers and increase production, (c) to increase the production peasants are expropriated from their land, (d) the peasants resist. The first three points (a, b, c) naturally result from one another as part of a certain order, the fourth point (d) is of a completely different nature. A gap appears between (d) and (a, b, c) (Laclau, 2009). The gap concerns the processes and persons in which the correlation occurs (c results from b and b results from a), thus they form together a certain rational order. Meanwhile (d) is a denial of this order, it is

opposed to it, reacts not with any one element (a, b, c), but with the connection between these elements as a whole.

The gap in the situation of deterioration of the individual situation (or even loss of certainty as to the stability of one's own situation) results in the creation of cognitive chaos, which man cope with by bringing him to the otherwise known structures of thinking (Kajfosz, 2009). In this context, the loss of unitary stability (or the sense of such a loss) results in the individual situation being covered by structures of cultural resistance. By cultural resistance, I mean here the determination of the symbolic identity of people and processes responsible for the lack of stability and the taking of various types of actions towards them (Drozda, 2015). Activities can have the character of building a sense of identity (resistance) that gives a sense of stability and unity to the opponent, but also leads to acts of violence (Paye, 2019).

In the case of my research, I am most interested in the act of creating the 'identity of resistance'. I understand these identities as developed in the counter and based on opposition to the Other (Drozda, 2015). In anthropology, a lot of interest is devoted to creating an identity in relation to the Other, but understood as different in the ethnic or cultural sense. In the case of an identity of resistance, it is not necessarily another cultural one (like a member of another nation), but for people and processes that we take on the actions of resistance and which we perceive as an anthropological "other" (Burszta, 1998). If we take action to create craft beer in opposition to mass-produced beer, then our identity is created by both positive and negation-based factors (Žižek, 2002). Positive factors in this situation are all the elements that make up your "brewing" identity, such as your own brand. The negative elements are all those that are based on the opposition to mass-produced beer. In narratives (e.g., advertising) of own brand, such elements would be to emphasize the natural process accompanying production in opposition to the process

perceived as unnatural in mass breweries. In this example, mass-produced beer is just such anthropological Other, against which resistance is taken (in the way of production and construction of one's own identity). An example with a local brewery is just an indication of the components of the resistance identity that I will write about.

In the case of new populism or neonationalism, cultural resistance and the identity of resistance is created on the basis of filling the gap between the individual situation and the global situation by discursive structures that explain the chaotic world and give cohesion (identity) to the individual (Laclau, 2009). The formation of the social entity that is the people must be distinguished from the class. People are created not by objective inclusion in the social order, but emerge by combining many different demands on the social gap. The creation of this social gap, the expansion of the chaos between global processes and the situation of the individual, causes that a set (unformalised) of many different demands is created (Laclau, 2009). By demands, I understand the multiple social expectations of individuals. However, they do not have a common basis, as in the case of a class. The demands of someone from the upper middle class who are losing job stability are different from someone who belongs to the unskilled working class. They are, however, connected to the global processes that create this situation. However, this alone is not the basis for joint recognition.

Laclau claims that such a common recognition occurs when many demands are made for a social institution that does not want to meet these demands. We can observe this by example. According to the Argentine philosopher, imagine the farmers who migrate and settle in the suburban neighborhoods. Problems with housing incline people to require some solutions from the authorities (demand). If they are not met, people begin to see that other people are also affected by similar unfulfilled demands. The more such unmet

requests, the less the system can treat them separately. If they cannot treat them separately, a relationship of equivalence arises between them, which creates a gap between the institutional system and the people (Laclau, 2009).

In the case of the new populism, the platform of expressing the equivalence of demands is the nation. As part of recognition in the nation (people), the process of demand equivalence of diverse groups takes place (Bowman, 2005). The middle class and the unskilled working class can express their demands through the nation. Both differ from each other, but demands filtered through the prism of the nation become part of the chain of equivalence.

In Laclau's analyses, an important element in the creation of the peoples' identities is antagonism and the inclusion of individual elements in this antagonism. In the discussed example with expropriation, peasants (and others) who resist (d) establish themselves in opposition to the first three elements (a, b, c). These three first elements do not have to be identical with each other, but by antagonism (to d) they are perceived as elements of the same order, which is the basis for distinguishing the peasants who resist. In other words, everything that appears in these elements will be perceived as antagonistic and negatively influenced. In this way, peasants capture the gap between their resistance and these three elements. They fill it with the structure of understanding (which is negative in their perception and what is not). If a neutral element of the system (b) appears as a consequence of the negative system (a), then the first one will take over the negative features of the system (a).

In the further part of the text, I would like to show how this process works in relation to contemporary populism on a few examples chosen by me. The most important element is that the gap between the unit undertaking resistance (d) and social processes (a, b, c) is filled with the help of the explanatory structure: globalization-alternative. Globalization

is understood here by a series of processes that result from one another, which translates in a negative form into specific situations of resisting individuals. As a consequence, individuals recognize their actions as an alternative to globalization. In relation to certain features of globalization they create a kind of understanding of the nation. This nation becomes what Laclau defined as The People, a populist identity. This nation should be understood in the context of the current moment of globalization, and hence the complement to the terms such as: new nationalism, neonationalism.

Resistance, confection, and production of antagonism

The problem of creating the people here is a gesture of equivalence and fabrication of the structure. In a situation of real deterioration of the economic situation, people are looking for a structure that would fill the gap between their situation and the global situation explaining what is happening (Bowman, 2005). In the structure explaining the world, the economic situation itself is only one element of the structure. In this structure, what is global is responsible for the economic situation. In this way it defines the enemy, and thus the opposite identity of the “people” (an ordinary man: an alternative). In this way a “people” is created, which is an alternative to representatives of the global order. If, on the side of global one can find support for the LGBTQ community (for example), and without a solution to economic problems, the automatic opposition to the LGBTQ community becomes part of the alternative. In this way, resistance to economic inequalities is combined with opposition to the rights of LGBTQ persons, similarly to any other matter. By putting it in order based on a “global structure-alternative”, it obtains a specific means of its understanding. Entering the rights of LGBTQ persons in the structure on the global side causes that persons recognizing the side of this “people” gain an unambiguous interpretation of how LGBTQ should be understood (Zob, 2019).

The starting point of this process is usually economic and social, at some point it connects through the chain of equivalence with trends that are referred to as right-wing ones. Sometimes the economic and social motif is translated into cultural motives, such as the right to abortion (Baca, 2011). Laclau (2009) gives an example of the change that has taken place in France. The functions of the “tribunes of the people”, and thus the platform for articulating popular demands, were various leftist parties and organizations, especially the Communist Party. After the fall of communism and the emergence of the center (the so-called third way in social democracy), there was no special difference between the leftist and the center’s parties. However, there was a need to express radical demands and these demands were taken over by the right. A significant number of voters of the Communist Party moved to the National Front (Laclau, 2009). At the time when platforms traditionally expressing radical social demands combined their postulates with the centrist parties, the equivalence took place. The left wing was perceived in the same way through the prism of the features that are given to the center parties as part of the peoples’ identity (perceived as negative). Thus, the process of equivalence (on the side of negation) has come. Left-wing parties and platforms have become part of the logic of the resulting side of what is perceived as negative (a, b, c.) (Blim, 2011). From this follows the logic of combining radical Islam with “leftistness”, or accusing the conservative Angela Merkel or the conservative Donald Tusk of being leftist. At the same time, however, because the right-wing parties and platforms remained against the center and left, by the principle of equivalence, the popular demands merged with the right-wing demands. In this way, the peoples’ identities (and their radical demands) have gained a form of expression through the national prism present in right-wing movements. In the same way, the process of the equivalence of demands between the people and right-wing demands came

about. The convergence between economic postulates and social justice and the opposition to abortion is the effect of this explanatory structure. They did not merge with each other on the basis of a rational result, but by equivalence within the logic of “making people.”

Antagonism, on which the logic of the people resists, is expressed in the form of resistance and the form of the resistance’s identity. In the form of resistance, one builds on negation, in the form of an identity of resistance on the affirmation of oneself. In the form of negation, a number of reference points appear which serve to define the enemy. Affirmation of the resistance’s identity consists in building a positive image (the people) that is created by resistance. Both, first and foremost, are expressed through visual forms. They are supposed to have vivid manifestations of separateness (negation) and self-affirmation. An interesting case of such a creation of the people in Poland are clothes, especially shirts and sweatshirts (but also other parts of clothes and accessories) with patriotic motifs. Popular slogans on such T-shirts are: “From birth, proud of origin”, “Mother! Today I’m going to fight” (motive from the Warsaw Uprising), “God, honor, fatherland”, “As long as you fight, you are the winner” (with a visual patriotic motif military), “Never give up”, “Cursed Soldiers¹ – steadfast”, “Faithful homeland – patriot.” Visual motifs used on them are: military appeals, soldiers, knights, hussars, Polish emblem, eagle, national colors, emblems of fighting Poland, and various armed forces (Cursed Soldiers). The patriotic and nationalistic threads present on T-shirts are a form of affirmation of their own identity, which is a form of resistance against globalization. It is particularly important in the slogans referring to national pride, showing steadfastness and courage.

¹ Extreme right-wing guerrilla fighting after the Second World War with communists in Poland.

In the main form, these clothes are a form of resistance against globalization (McGuigan, 2002). A frequent element of this type of clothing is the emphasis on pride and patriotism (Billing, 2008). This form of “banal nationalism” situates itself in opposition to globalization processes as a form of resistance against them. Globalization is perceived as opposing national identities and is embedded in a logical sequence whose horizon is the abolition/control not so much of nation states as of nations. Thus, we are dealing here with a process in which globalization (a) seeks to lift the borders to control the effective flow of capital; (b) one of the elements of this process is the weakening of local and national links and identities; (c) in the sequence thus understood, another element appears, which is based on the opposition to the former. It is resistance to “denationalization” (d). There is a gap between elements (a), (b), (c) and element (d), filled by the perception of your identity as an identity of resistance. For example, every criticism of national identity (even in the patriotic perspective) is inscribed in the sequence of equivalence (a, b, c), and is thus perceived as a negation of the identity of national resistance (d). This can be perfectly seen in the discussions of Polish anti-Semitism. Describing anti-Semitism is inscribed in the sequence of equivalence between globalization, denationalization and is perceived negatively, even if its motivation is patriotism and the willingness to confront the uncomfortable past. Criticism is inscribed in a sequence against which popular identity resists (Dobrosielski, 2017). There is a gap between the people/nation and critics understood in this way.

The resistance identity, expressed by means of clothes, is based on entering into the global-alternative structure. One of the first manifestations of this process was the appearance of emblems, slogans, images on T-shirts associated with the Warsaw Uprising. The key element here was the slogan: ‘we remember’. It was and is a form of resistance against

forgetting or deliberate erasure. Forgetting is connected with the globalization blurring of identity and its dissolution in consumerism. This is illustrated by the popular poem written on the occasion of the uprising anniversary. His excerpt reads:

“I am nervous when I sit in front of the TV or computer, sipping a brewery and commenting that... The uprising is idiocy, suicide, stupidity, why celebrate it, why remember it. And I’m asking – what are you lazy, coward fucking, corporate prisoner, eternally complaining little Pole – what would you do in their place? Fuck off to western “friends”, he licked his ass on the right or left and shot his neighbors, he sold them to save his shit life? Be happy that you live in such times when your only choice is “Zywiec” or “Tyskie”². Let’s not judge the drama of these people, it’s enough that we remember them³.”

Against the process of ‘erasing the memory’ resistance in cultivating the figures of Cursed Soldiers is clearly already taken. The memory of them present on T-shirts and other visual forms of expression is supposed to be a form of resistance against being erased from memory by communists. The emergence of the context of communism is important here, because very often by reference to internationalism in it is connected with globalization processes (they are supposed to be its consequence). In the case of the resistance expressed by the memory of the Cursed Soldiers, we can observe how the filling of the gap between the people’s identity and globalization works. The figure of the Cursed Soldiers refers to the memory of the events of the forties, fifties, and sixties, and to the fact that the communist authorities have erased

2 Popular beer brands in Poland.

3 <http://wiersze.doktorzy.pl/powstanie.htm> [accessed on 20.06.2019].

their memory about them. Communism appears here on the side of antagonism towards the ‘people’ is therefore inscribed in place of globalization processes. The same is included in the sequence of equivalence on the side of globalization, it connects with other elements that are on the side of equivalence, even if there is no relationship between them. For example, the European Union is perceived as ‘communist’. This is due to the fact that the European Union, through its transnational character, is part of the equivalence on the side of globalization. After such a rewriting, any interchangeability of elements may take place. Resistance against the erasure of the memory of the cursed in the more general form by the communists thus becomes a resistance against globalization.

‘Lewactwo’⁴, the absurdity and the construction of the people

An important factor in the production of identity in the context I am discussing is the determination and representation of the enemy (Laclau, 2009). They have a double dimension. On the one hand, they allow you to define your identity by negatively addressing enemy traits and characteristics. On the other hand, resistance is taken up as part of the antagonism constructed in this way. On the occasion of the analysis of slogans on T-shirts I tried to show how the identity of the resistance works, based on the affirmation of identity, which is perceived as ‘forbidden’. In this case, we are also dealing with identity and resistance, but an identity whose resistance relies on attachment to traits considered undesirable in the dominant discourse. For example, populist identities perceive ‘tolerance’ (for LGBTQ people and others) as a feature

4 In the popular discourse, anything that is not right-wing is referred to in Poland as “lewactwo”. This is an untranslatable word, formed from the combination of the “left” with the word “vermin”.

imposed by the enemy (Duda, 2016). Resistance is expressed in the identity that rejects this kind of tolerance. Within these identities, tolerance is perceived as an enemy trait (imposed, described negatively, serving one's interests) in the chain of equivalence. And vice-versa: the identity of the resistance on the side of what is perceived positively (in the global opposition-alternative) is shaped by the negation of features, and thus the positive affirmation of traits that are perceived as appropriate to the enemy.

An important bond that is created in this way is the so-called enemy. "Lewactwo" (Drozda, 2015). The definition of 'lewactwo' has the dimension of impersonating attributes considered undesirable, against which resistance is taken. If in the global context the tolerance for LGBTQ people is promoted, it is the result of the 'lewactwo' action. In this way, the term 'lewactwo' encompasses a whole range of features and actions that are considered to be important and the populist identity faces resistance to them. Most often, actions undertaken by the 'lewactwo' are described as absurd, irrational, or dangerous. After the New Year's Eve party in 2017 in Cologne, Germany (a year earlier there were attacks on women and accused of non-immigrants there) an article was published in which the 'absurd' action of leftists was exposed⁵. Well, according to the author, this time the police stood up to the challenge and managed to secure the party effectively. However, after the party, the Green Party was to attack the policemen for the fact that during the participants' control they were guided by 'racist' criteria and suggested 'African appearance'. Representatives of the security forces had to answer these charges: "Who should we detain? Gray-haired old people and young blondes? The police chief in Cologne asked rhetorically. – We know well how

5 <https://www.pch24.pl/lewackie-absurdy--po-bezpiecznym-sylwestrze-w-kolonii-dzialaczka-partii-zielonych-atakuje-policjantow,48490.i.html>, accessed July 2019.

often people who commit crimes look like and it is natural that we control them – the police said.” The article’s pronunciation points to the absurd theses and accusations of the Green Party politicians and politicians and Die Linke. In opposition to this, he places the common sense attitude of German policemen. Police officers in the article serve as images of normal hard-working people, who ‘absurdities of leftists’ make it difficult or impossible to work.

The author of the article suggests that for a normal citizen of Cologne, it is obvious that crimes are committed by immigrants. The figure of left-wing (lewactwo) politicians is set up as if against the normal inhabitants. There appears here antagonism based on the division: normal people (we who understand the threat, act in a common sense) – ‘lewactwo’ (external intervention, politicians, based on absurd and detached from normal life premises). Normality is contrasted with the absurdity, the locality with some externality (politics, outside the local context) (Baca, 2011). In this way, an image of antagonism is created between normal, working (ordinary policemen) local people, and global ‘lewactwo’ elites, which impose some absurdities on this normality.

In the context of women’s rights, the phenomenon has also developed. A certain part of women’s rights is considered a civilization acquisition, which should be defended against the ‘culture of Islam’ due to the actions of leftist and globalization. On the other hand, it also shows itself as a ‘reasonable’ (normal) part of women’s rights, which is threatened by the absurdities of (global) feminism or in some cases ‘feminazism’. This undetermined part of the rights of women recognized as a norm defends itself against the exaggerated and absurd fantasies of ‘feminists’. ‘Normal’ women’s rights are inscribed in the structure on the side of the alternative, and ‘feminists’ absurdities’ on the global side. At the same time, what is ‘normality’ in the rights of women is not specified. The term normality is shaped by the opposition to what appears as

‘the absurd demands of feminists’. In this way, the chain of equivalence that creates the people arises. Recognizing this absurdity creates an image of community in opposition to what is perceived as absurd.

Migration, resistance, alternative

In 2015, the so-called migration crisis exploded in Europe. Thousands of refugees from the Middle East and Africa got to the old continent sometimes in hastily ripped rafts. Along with the crisis very quickly appeared various discourses, in which the mainstream-alternative structure played an important role. This structure was supposed to appear as a reaction of resistance to calls to receive refugees. It was based on several forms and points of reference. In its simplest form, it found its expression in the area of struggle for knowledge. Within this structure, mainstream media and alternative media were opposed. The mainstream media were to encourage the reception of refugees, cover up information about crimes committed by them, and obliterate the real picture of migration. More or less the suggestion appeared that “someone is behind this”. Meanwhile, alternative, independent media were to present: “Uncomfortable truth about refugees”. In this form, the media was to serve “somebody’s interests” (mainstream) and hide the truth, while alternative media, despite incomparable means, stubbornly reveal this truth (David’s fight with Goliath).

As an example, here is an article from the site *wpolityce.pl* pt. *An Inconvenient Truth About Immigrants? The Swiss complain that they do not want to work. They prefer to live with benefits. We’ve become their hostages.*⁶ The article was published on September 15, 2015. It describes the situation

6 <https://wpolityce.pl/swiat/264896-niewygodna-prawda-o-imigrantach-szwajcarzy-skarza-sie-ze-oni-nie-chca-pracowac-wola-zyc-z-zasilkow-stalismi-sie-ich-zakladnikami> [accessed on 16.06.2019].

of refugees in Switzerland, citing a press article from the magazine "Basler Zeitung". The article states that refugees living in asylum homes after some time get the opportunity to take a legal job, but they do not. In addition, they receive 1000 francs benefit (in the case of a single person) and 523 francs for each person in a family setting. In addition, these refugees are protesting because they do not like the conditions in asylum seekers and demanded furnished flats. However, the key is the information that they do not take up work. We receive information about Swiss farmers, who are desperately looking for hands to work during the harvest season and would like to welcome refugees to work, but they do not want to. The situation of refugees in Germany is to be similar. In addition, recruiters of Islamic fundamentalist and terrorist organizations still run after refugee centers. The very content of the article is important here from the perspective of its relation to the formula in the title: 'An Inconvenient Truth...' and: 'The Swiss are complaining and they do not want to work.' The first part of the title suggests that we are dealing with hidden, uncomfortable information that does not appear anywhere else or is insufficiently publicized. The truth contained in the article is inconvenient for 'someone'. The second part of the title refers to the inclusion of global phenomena (migrations, refugees, "them") in the globalization-alternative axis. Refugees represent here global migration trends.

Meanwhile, the Swiss are at home, so they do not fit into the migration globality, like the Swiss farmers mentioned in the article. In this respect, the article refers to beliefs regarding the reasons for migration. Only looking at it through the lens of popular geopolitical analyses allows to understand the opposition globalization-alternative. In another article, this time from the WP.pl website, the migration crisis is the result of games of the world's political elite. The article is entitled: *Who really stands behind the wave of migrants storming Europe?*

And was written by Tomasz Otlowski on September 21, 2015⁷. After analyzing the various symptoms of the refugee crisis, the author concludes that he is the conscious act of the players of world geopolitics. The author indicates specific countries (Turkey, Russia, Islamic State) that have real benefits from the destabilization of the situation in Europe. Returning to the first article, the refugee crisis as a result of the political elite is combined with the situation of specific residents, ordinary people. 'Swiss farmers' are those who face the situation, it is the global situation that hits them and they will deal with it.

The relation based on the globalization-alternative structure has an anarchic form. Most often there is a reference to 'inept' governments and citizens taking matters into their own hands. Thus, on one side of the relationship we have refugees (as a living incarnation of global processes), global players, inefficient and/or corrupt governments on the other side we have ordinary people who have to deal with this situation (or whose taxes these global processes are financed). Thus, the real situation (for example, economic instability) of a particular person translates into global processes (Kalb, 2011). The structures described above create chains of equivalence, building the peoples identities of the new populism. Between the concrete situation of a particular man (Swiss farmer) and the global situation, there is a lack of correspondence. A concrete man is unable to indicate which global process is responsible for his specific situation, lack of work, and lowering living standards. It is not even able to determine if such a link exists. The structure I wrote about above fills this gap, creates the correspondence and connection between a particular situation and the global process (or a process understood in a broader perspective). In other words, it gives the chaotic world a structure that 'orders the ordinary Swiss

7 <https://wiadomosci.wp.pl/kto-naprawde-stoi-za-fala-migrantow-szturmujacych-europe-6027686256181889a> [accessed on 16.06.2019].

farmer' to order this chaos. And this arrangement is expressed by inscribing the situation of an ordinary man on the side of the opposition to global processes, which are manifested, for example, by migrations.

The global structure-alternative is the key axis of the chain of equivalence. The phenomena on the global side are negatively valorized (greed), while on the alternative side they are positively valorized (ideality, devotion). After applying this optics to the 'chaos of the world' situation, various phenomena begin to be ordered. Everything that appears on the 'global' side is automatically explained through the prism of negative features, everything that appears on the side of the 'alternative' – positively (Perka, 2012). At the moment when we enter the relationship between identities in the process, it appears to the subsoil for the development of new nationalism.

Conclusion

New nationalism or new populism certainly do not constitute an embodiment of some form of fascism or imagined return to Nazism. They appeared by filling the gap between the individual situation and the global situation with the mainstream-alternative structure (which has its various dimensions). This structure draws from the myth of David's fight with Goliath and thus impresses with understanding what appears on different sides of this structure. By entering it, phenomena associated with 'globality', 'mainstream', regardless of their conceptual content, are associated in it negatively (Goliath). Conversely with the phenomena inscribed in the alternative, they will be automatically perceived as positive. National identities, which are key in the global-local alternative, began to be seen as positive in the context of resistance to globalization processes. Resistance against them takes many different forms and manifests itself manifoldly. One of its forms is the perception of media content

through the prism of the structure of David and Goliath. If something appears on the side of Goliath, regardless of the content, it is perceived as 'false', 'serving someone's interest', etc. While content appearing in opposition to mainstream content acquires the features of truth, not by what content they bring with them, but because they are in opposition to the 'mainstream'. Very often, as part of this process, we can meet the statement: 'mainstream media is silent about it'. Such a formulation causes that we automatically read the following content as true. In this way, resistance in the context of new nationalism (or populism) is based on knowledge that draws its legitimacy from myth. Knowledge that results from this structure becomes the basis for resistance, variously expressed: from wearing T-shirts and national emblems to support for populist groups.

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**Pro-European Political Discourses in Romania.
A Brief Analysis on How Romanian Politics Are Conducted
– Before Taking the Presidency of the EU Council**

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Abstract. While the majority of studies nowadays focus on Euroscepticism and on the failure of “the European dream”, our study aims at showing that the idea of a “United Europe” is still of utmost importance on politicians’ agenda. Therefore, this project will analyse the statements of the main political actors in Romania, focusing on those centered around taking up the position of EU Council’s presidency. This could prove a possible opportunity to emphasise sympathy with the European project. In order to assess our claim, we applied the method of analysis of declarations, on a number of 54 declarations from the most important Romanian decision-makers (president, prime minister, the presidents of the two chambers of legislation, the delegate minister of European affairs, the minister of European funds and opposition members). Thus, the object of analysis was selected based on consulting the four main online sources that Romanians prefer, on an investigation period limited between July and November, 2018.

Keywords: pro-European discourses, EU Council, Romanian politics, European project.

Introduction and the broader context

Historic accounts and leaders are important for humankind, because they offer the possibility to observe our progress. In Romanian recent history, two events hold a great importance: the revolution that took place in 1989, and year 2007, when our country became a member state of the European Union. After 2007, the country policies began to align more with European values like integration, compassion, and unity in diversity, but the economic crisis affected this project, not only in Romania but the majority of EU member states. We aim to analyse if the political discourse is still on the democratic path, signalled by the presence of pro-European discourse, all of this with provided context of Romania taking over the presidency of the EU Council, in the beginning of January 2019.

Our hypothesis is the following: *Romanian political actors will emphasize the ability of their country to bring the presidency of EU Council mandate to a successful conclusion.* This study is important as it is the first time that Romania has this great responsibility, and we have the opportunity to tackle a great amount of data and to have a close look at different points of view, varying from left to right or progressive to conservative.

The European Union was created with the aim of ending wars on the old continent. Once the Second World War ended, European countries started a gradual political and economic unification. It all started with a number of six founding states, and now, after the union evolved, it comprises 28 countries (until UK leaves, following the Brexit vote) and has seven decision-making bodies: the European Parliament, European Council, Council of the European Union, the European Commission, Court of Justice of the European Union, European Central Bank, and the Court of Auditors. Examination and amendment of legislation at a European level is shared between the Council of the European Union and the European Parliament.

The importance of the study and methodology

The Council of the European Union represents the Member States and is the EU's main decision-maker. Its role is to adopt European laws, coordinate general economic and social policies, conclude international agreements between the EU and other countries, and approve the budget of the European Union.

The Council brings together the governments of the member states, and it is organized into several sectoral councils of national ministers (such as the Council of Agriculture Ministers). The Council's role is to undertake both executive and legislative functions: it sets the medium and long-term policy agenda, and it constitutes the dominant chamber in the EU legislative process. The Council usually decides by unanimity, yet is using a system of qualified-majority voting (QMV) on a number of important issues (where the votes of the member states are weighted according to their size and a large majority is needed for decisions to pass) (Hix, 2005, p. 7).

Having the Presidency of the Council of the European Union is one of the most important moments as an EU member for the country that holds this role, because they will be in everyone's attention and will also be actively involved in coordination of the European Union's activity. First, presidents carry out administrative tasks by organizing meetings, distributing relevant documents, and revising draft texts in accordance with previous meetings. Second, presidents set political priorities. When beginning their terms, presidents release programmes outlining their priorities and what they aim to achieve. Third, presidents mediate between other Member States to resolve controversy. Presidents are charged with achieving political progress in the form of decision outcomes on controversial dossiers. Fourth, presidents represent the Council externally (Thomson, 2008, p. 594). It is the first time that Romania fulfils this role, this being both a challenge and an opportunity. The presidency

of the Council will add weight to the decisions taken at the European level, it will generate credibility among the other member states, and it represents an important moment that will ensure the visibility of Romanian actions.

The European and international context is difficult. First of all, at European level, in March, Great Britain will break up from the union's family and, in May, elections will be held for the European Parliament. Another important issue is the instability in the Eurozone, the underlying causes of this instability are based on a number of policies, ideological, and institutional pilots. The chief causes on a number of interlinked processes: the flawed institutional architecture of the euro system itself, creating monetary without fiscal union, and lacking a state lender in the last resort; the 'neoliberalisation' of the EU's economic integration process which ignored the increasing exposure of European banks to global market practices; and since the crisis, a slavish adherence to an ordoliberal austerity solution and the amplification of the already adverse terms of trade between most of Europe and the neo-Mercantilist German economy. (Baker and Schnapper, 2015, p. 20). We can notice instability within the EU that has various causes besides Brexit: the refugee crisis, the evolution of extremist parties, or the development gap between the Western and Eastern countries. Secondly, regarding the international context, the situation is also difficult, we can observe Russia's expansionist desire, the crisis in Ukraine, the economic evolution of the Asian countries (China and India), but also the change of message and involvement of the United States America in international politics.

In order to pursue our hypothesis' validity, we needed an adequate methodology. Given the fact that our subjects are the most important politicians in Romania, methods such as interview and sociological analysis can be used but require a great quantity of resources, unavailable for our small team. We reoriented and looked for a method more convenient for

our resources, of course without losing relevance, and this method is discourse analysis. As Jonathan Potter said, main sources of material used in discourse analytic studies are naturalistic materials, interviews, focus groups, and texts. Each has positive and negative features.

For the corpus, we chose written discourses because are more present in the media and are more suitable for a grid with multiple criteria. There are more arguments in favor of this instrument: texts are a pervasive and naturally occurring feature of everyday and institutional life. From diaries to newspapers, medical records, and e-mail discussions, they present a rich source of material for analysis, do not require recording or lengthy processes of transcription. Some phenomena only exist in this form – novels, newspapers, and social work case notes offer no choice. Studying them will involve studying texts (Hardy, 2004, p. 613). Another important aspect for this methodology is finding the proper balance between rigour and significance. Fewer texts may be analysed in greater detail but the smaller the corpus, the more difficult it may be to justify the broader significance of the analysis (Phillips and Hardy, 2002, p. 72). For our study we chose a number of 54 discourses, spread from July until December, all delivered by 9 important political actors in Romania. We used the following online media channels to put together the necessary information: Adevărul.ro, Știrile ProTV.ro, HotNews.ro, Digi24.ro. Our criteria in choosing online media listed before was: relevance, media coverage, online readers, and objectivity.

Results

After identifying the problem and finding the right methodology, we constructed an analysis grid with eleven criteria. For all the discourses analysed, those criteria were keywords: *number of discourses* – six for each politician, *Romania is ready*, *future of Europe*, *strength of the Union*,

political position of each politician, quarrel in internal politics, European progress, Romania is gaining more importance in EU, international influence, successful presidency, and tonality.

The political actors analysed are: President Klaus Werner Iohannis, Prime Minister Vasilica-Viorica Dăncilă, President of the Senate Călin Popescu Tăriceanu, President of Deputy Chamber Liviu Nicolae Dragnea, Minister Delegate for European Affairs George Ciamba, Minister of European Funds Rovana Plumb, President of the biggest opposition party – Ludovic Orban, President of USR (Union Save Romania) – Dan Ilie Barna, and Ex-Minister Delegate for European Funds – Victor Negrescu. Six politicians are from the government coalition, two from the opposition, and the President.

The results from the governing coalition are the following: on the part of Vasilica-Viorica Dăncilă, the Prime Minister of Romania, we were able to analyse 6 statements on this issue. The speech was 4 times positive and 2 times neutral. The emphasis was placed on the future of Europe, international influence, strengthening the Union, and affirming that Romania is ready to take over the presidency of the Council of the Union.

Călin Popescu Tăriceanu made 6/6 discourses about the topic, with a neutral tonality due to an episode of instability within his own party, but mentions in every declaration the necessity for internal peace between parties, and he declared that if Romania will not have a successful presidency, all the blame is towards the opposition and its lack of collaboration with the governing coalition.

From ex-Minister of European Affairs, Victor Negrescu, we also analysed 6 speeches. His attitude is gradually changing as the Presidency of the Council of the European Union approaches. Between June and August, his speech was a positive one, with the emphasis on Romania being prepared for a successful presidency, talking about the future of Europe, but also about strengthening the Union. In September and

October, Victor Negrescu began to have a neutral speech, a discourse about disagreements in internal politics and about the international influence that Romania will have in this position. On November 8th, Negrescu resigned from the role of Deputy Minister of European Affairs, which was later occupied by George Ciamba.

Liviu Nicolae Dragnea made 4/6 discourses with an overall positive tonality, the most present criterion was quarrel internal politics, all other came second. His discourses were optimistic about how Romania will perform during the presidency, but we must not lose sight of the fact that he is the leader of PSD (Social Democrat Party), the largest political party in Romania.

In November, George Ciamba made a single declaration on the topic of the presidency of the Council of the European Union. The tone of the speech was neutral, saying Romania is ready for a successful presidency.

We also aimed to analyse the speeches of Rovana Plumb, the minister of European Funds, but she did not tackle this topic in the analysed period of time.

The results from the opposition and the President show the following:

Ludovic Orban made 3/6 discourses in the period of measurement, and all of his declarations had a clear course: the governing coalition is to blame for the future failure. “The solution lies in my hands, the opposition must take the power if we want to have a successful presidency.” – one of his edifying declarations from which we can observe his position.

Klaus Werner Iohannis, President of Romania, refers to taking over the rotating presidency of the Council of the European Union in 5 articles in the Romanian press. His speech was a neutral one, referring in particular to the strengthening the Union, the future of Europe, but also to internal political misunderstandings.

Dan Ilie Barna, the leader of USR, the youngest political party in Romania with pro-European views, made just 2/6 discourses. His position is clear; like Ludovic Orban, he points out that the Coalition is corrupt and incapable to provide good leadership for a successful presidency.

Limitations and future paths of research

This is what our data looks like after the analysis was completed, but the presented aspects are not all there is. To draw the conclusion, it is necessary to mention our limitations and future ways to continue the research: Our first limitation was our target group. To achieve an exhaustive perspective in a research endeavour, it is necessary to combine quantitative data with qualitative data, but we were not able to reach our subjects with more instruments. Another limitation was the lack of interest shown by the political class for this topic. Some politicians gave few or no declaration, this fact has represented a true obstacle in our study. We started with four online media channels but extended our search with more media outlets, because of the lack of discourses in the corpus.

Future ways of extend the research can cover a longer period, not just from June until December 2018, but also from January until July 2019. One year will be enough to draw a proper conclusion on the topic. If this topic gains sufficient attention, future researchers might try to mix qualitative methods with quantitative ones, to have a more representative research.

Conclusion

To draw a conclusion, we can affirm that this study allows us to understand the policy of the Romanian politicians regarding the presidency of the Council of the European Union.

After the analysis carried out, we understand once again that the internal political conflicts are at a high level, this being the main reason why the theme of the presidency was not a top priority for the Romanian politicians. They often chose debates on internal politics or small scandals in spite of debates on the Presidency of the Council and the establishment of a plan. We can also notice that the politicians do not take the advantage of Romania's position as a leader before the European Union Member States. They have not set a concrete plan for this period, and the political instability continues to persist on the Romanian political stage.

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Appendix. Content analysis grid

Name	State position	number of articles studied	Strengthening the Union (consolidation)	Romania is prepared	Future of Europe	Misunderstandings in internal politics	The European route	Increasing the importance of Romania within the EU	International influence	Successful Presidency	Tonality
Klaus Werner Iohannis	President of Romania										
Vasilica-Viorica Dănciă	Prime Minister of Romania										
Călin Popescu-Tăriceanu	President of the Senate										
Liviu Nicolae Dragnea	President of the Romanian Chamber of Deputies										
George Ciamba	Minister delegate for European affairs										
Rovana Plumb	Minister of European Funds										
Victor Negrescu	Ex- Minister delegate for European affairs										
Ludovic Orban	President of National Liberal Party										
Ilie Dan Barna	President of the Save Romania Union										